

**CITY COUNCIL MEETING  
March 2, 1994**

**ASSEMBLYMAN BOWLER PRESENTS STATE OF THE STATE REPORT**

Assemblyman Larry Bowler presented the City Council with a "State of the State Report". Mr. Bowler spoke about workers' compensation reform, crime, education and the budget for the State of California, and also expressed his support in helping Lodi with the expansion of the rail passenger service to Lodi, the DBCP issue and the Auburn Dam. Mr. Bowler encouraged the public to become involved with local issues and to contact their elected officials.

FILE NO. CC-6 AND CC-7(f)

**Local Government  
PERMIT  
STREAMLINING  
STRATEGIES**

***Results-Oriented to  
Add Certainty, Clarity,  
and Consistency  
to Local Programs***

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State of California  
Trade and Commerce Agency



# CALIFORNIA TRADE AND COMMERCE AGENCY

Pete Wilson  
Governor

Julie Meier Wright  
Secretary

916/322-3952  
916/322-3524 FAX

February 16, 1994

Dear Elected Official:

Company executives in charge of making site selection decisions tell us that they must have certainty, clarity and speed in the permitting process. At the state level, led by Governor Wilson California has enacted administrative and legislative reforms that will do just that.

Our Red Team approach has helped us work effectively with Cal/EPA, other state agencies and local governments on specific business attraction projects, but it is not a substitute for carrying our partnership further in a cooperative effort to streamline the permitting process at all levels of government.

Governor Wilson directed the Office of Permit Assistance (OPA), within the California Trade and Commerce Agency, to develop strategies which assist local governments in implementing their own permit streamlining initiatives.

The enclosed *Local Government Permit Streamlining Strategies* handbook, prepared by the Office of Permit Assistance, is intended to assist local governments create procedures that make their communities more competitive in attracting new businesses and jobs. These strategies could ease the workload of busy local government officials. And, in these tight fiscal times, streamlined processes will save local governments money. They also help applicants comply more easily with laws, regulations and local ordinances at all levels of government.

We welcome the opportunity for the Office of Permit Assistance to work with you in any way that would help you implement an aggressive permit streamlining program, or to carry your program to a whole new level. Our staff is available to provide technical assistance or to speak at permit streamlining meetings. If you would like further assistance, please contact Lauren Sevrin, Business Development Specialist, at the Office of Permit Assistance, 916/322-4245.

Sincerely,

  
JULIE MEIER WRIGHT  
Secretary

801 K Street  
Suite 1700  
Sacramento, CA  
95814-3520

Enclosure



## GOVERNOR'S OFFICE

December 23, 1993

Dear Local Government Official:

I am pleased to present these *Local Government Permit Streamlining Strategies* for use by local agencies in streamlining and improving their permit processes.

As you know, my Administration is committed to restoring California's competitive edge by reducing the uncertainty and costs associated with complicated permit processes. Last year I established a special Task Force to address permitting at the local level since the vast majority of business permits are issued through local agencies. The Task Force was directed to study local permit processes and to provide recommendations that local agencies can implement without compromising the objectives of their environmental and permit programs.

The result of the local Task Force's work are these *Local Government Streamlining Strategies*. They present ten common-sense strategies which will help local governments identify and correct weaknesses in their own permit processes without weakening standards. As part of a broad local economic development program, these strategies can assist a community in attracting new businesses and retaining existing ones. Their implementation will be one of the keys to California's future economic development. Staff in the Office of Permit Assistance and the Trade and Commerce Agency are available to work with local governments to implement these and other local development strategies.

Thank you for giving these strategies your full consideration. My Administration looks forward to working with you to ensure that local permit reform is a key component of our "California Comeback."

Sincerely,

PETE WILSON

# Local Government **PERMIT** **STREAMLINING** **STRATEGIES**

**Pete Wilson, Governor**  
State of California

**Julie Meier Wright, Secretary**  
California Trade and Commerce Agency

**Victor Holanda, Director**  
Office of Permit Assistance



January 1994

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## Acknowledgments

This publication was developed when the Office of Permit Assistance (OPA) was part of the Governor's Office of Planning and Research. Although these strategies are published by the Trade and Commerce Agency, this document is primarily the result of the dedicated work of Richard Sybert, former Director of the Office of Planning and Research; George Deukmejian, Jr., Office of Planning and Research; and Glenn Stober, Trade and Commerce Agency.

Special thanks are also extended to Lee Grissom, Director, Governor's Office of Planning and Research; Wes Ervin and Lauren Sevrin, California Trade and Commerce Agency; Al Herson, California Chapter of the American Planning Association; Julie Nauman, The Planning Center; Mike Peloquin, Vail Engineering Corporation; as well as Bob Cervantes and Terry Rivasplata of the Office of Planning and Research.

In addition, the California Trade and Commerce Agency, Office of Permit Assistance, appreciates the support and participation of the members of the Governor's Task Force on Local Permit Streamlining. Although it is not possible to list all the talented and dedicated individuals who contributed to this work, special thanks must be given to the following individuals: Ernie Silva, League of California Cities; DeAnn Baker, California State Association of Counties; Jim Ryerson, California Air Pollution Control Officers Association; Art Goulet, Public Works Department of Ventura County; Ben Stone, Sonoma County Economic Development Corporation; Jane Signaigo-Cox, San Diego Economic Development Corporation; Trudi Ryan, Sunnyvale Community Development; Randy Moory, Teale Data Center; Bob Kachel, Stanislaus County; and the Governor's Deputy Chief of Staff, George Dunn.

Members of the Governor's Task Force on Local Permit Streamlining have reviewed these strategies and commented upon their contents. Task Force members, in addition to OPA, include representatives from the League of California Cities, the California State Association of Counties, California Air Pollution Control Officer's Association, the California Environmental Protection Agency and the Resources Agency.

Victor Holanda, Director  
Office of Permit Assistance  
California Trade and Commerce Agency  
*Sacramento, California*  
*January, 1994*

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Victor Holanda, Director  
Office of Permit Assistance  
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*Sacramento, California*  
*January, 1994*

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## Executive Summary

**C**alifornia's ability to attract employers and remain competitive in the years to come depends in large part upon our ability to restructure the State's permitting and regulatory processes. Many businesses and employers choose not to expand or hire additional full-time workers or actually relocate outside California due to excessive State and local permitting systems. Lack of certainty, excessive costs and time, unnecessary duplication, and unattainable standards are all cited as problems with the current system.

Governor Wilson took several actions, including issuing Executive Order W-35-92 to address State and local permitting processes to eliminate unnecessary duplication, uncertainty, expense, and delay.

Under the lead of the former Governor's Office of Permit Assistance — now the California Trade and Commerce Agency's Office of Permit Assistance (OPA) — a Local Permit Task Force was created to develop guidelines/strategies under existing statutory authority to assist local governments streamline their overall permitting process.

The following strategies are the result of the work undertaken by the Local Task Force, and comprise a blueprint local jurisdictions could follow in streamlining the permit process which would result in certainty, clarity and consistency to permitting in California.

***The proposals contemplate a permitting system that will provide certainty, clarity, and consistency to permitting in California.***

### **1 Economic Development**

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Local planning, through the inclusion of an Economic Element in the General Plan, or preparation of an Economic Strategic Plan can be used to strengthen community development activities, enhance economic growth, and reinforce the planning process as a positive part of economic development. An improved local business climate, expansion of the local tax base, and enhanced employment opportunities, are benefits of a planning effort directed towards economic growth.

### **2 Planning the Streamlining Effort**

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To help insure effective and efficient permit streamlining, localities can initiate consensus building and produce a plan for implementing workable streamlining processes. Involvement of representatives from a cross-section of groups with a vested interest in permitting is a crucial element in formulating feasible goals and objectives with broad application. Dispute resolution methods may be necessary if serious differences of opinion arise.

### **3 CEQA Streamlining**

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This recommendation suggests utilizing existing but frequently under-used methods of CEQA (California Environmental Quality Act) review such as Master Environmental

**Executive  
Summary**  
*continued*

Impact Reports (MEIRs), project tiering, creation of local thresholds of significance, and supplemental or subsequent Environmental Impact Reports (EIRs). In addition, most localities have generated or have on file a significant database collected from past environmental studies. Whenever possible, localities should use this information to evaluate the potential environmental effects of proposed projects. Utilizing available information helps localities and applicants eliminate costly and time-consuming studies and some EIRs for which effects are already judged either significant or negligible.

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## **4 Inventory of Existing Permits**

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Localities can conduct a department by department inventory of existing permit approvals and merge them into a master permit matrix. The master permit matrix should describe all local permits and identify the appropriate contacts for each department issuing these permits. The matrix will help localities realign government functions where overlap or duplication of responsibilities delay the timely and efficient issuance of permits.

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## **5 Consolidation**

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Localities can review the permits and permit processes identified in the master matrix for consistency, duplication and necessity. Each permit-issuing department should focus this review on permits that can be combined, eliminated or streamlined. In addition, legal staff should review department programs and policies developed to implement local ordinances for duplication, inefficiency, and regulatory inconsistencies. Staff should review these programs for redundant, ineffective, or outdated ordinances, programs and policies that stray from the intent of authorizing State and local legislation. A permit review committee, made up of local officials from permit issuing departments, should endorse all staff recommendations that help to simplify, clarify, and improve public access to the overall permit process.

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## **6 One-Stop Shop**

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A one-stop shop would be the ideal operation to implement at the local level. However, due to individual circumstances, a permit assistance center may be a preferable option. One-stop shop permitting locates staff from all local and regional permit departments (building, planning, environmental, health, public works, transportation, and fire) in one physical location to help applicants obtain information, application materials and pay fees for necessary permit and development approvals. Staff would also offer direction with business or governmental matters. One-stop shops help eliminate confusion and red tape surrounding permit approval by providing direct access to staff with a broad knowledge of local processes and the authority to immediately sign-off on minor, ministerial permits or licenses that require little or no review.

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## **7 Expedited Permit Issuance and Development Review**

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**Executive  
Summary**  
*continued*

Expediting permit issuance depends largely upon local jurisdictions improving methods of interdepartmental and public communication. This strategy discusses the creation of categories of permit review to identify incoming permits and direct them along a path of least resistance towards an efficient and timely review; recycling existing permit information to save time and the expense of reproducing traffic, environmental, and other studies; and adherence to time lines for permit issuance.

## **8 Permit Coordinator**

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Localities can assign a planner or permit coordinator to guide applicants through the permit process and inform them of steps necessary to comply with local permit regulations. Suggestions in this strategy address changes to the ways in which applications are typically routed and discuss the assignment of a single accountable individual, designated by the jurisdiction's planning director or a designated senior staff member, for each project application.

The Permit Coordinator should carry proposals from pre-application screening discussions, through the approval process, and into follow-up and enforcement of permit conditions. The Permit Coordinator will help applicants to identify potential permit problems early in the process and encourage cooperation between local jurisdictions and permit applicants.

## **9 Computerized Permit Tracking**

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Permit tracking systems expedite local permitting by making immediately available current project and permit information. Tracking systems allow local permit departments access to information entered at any terminal along a computer network. Tracking systems can give staff members working in separate permit departments access to the same on-screen information; allow for the concurrent processing of permit applications; and eliminate the need to copy and circulate application materials among several departments. In addition, computer tracking facilitates the assignment of a single project code number to track applications through all phases of permit and development review.

## **10 Customer Assistance**

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Local governments and the private sector cite the importance of positive staff attitudes, especially staff dealing directly with the public, to attracting and retaining business. Attentive and consistently helpful customer service attitudes create trust and confidence in applicants that localities will treat all permit applications in a fair, timely, and efficient manner and that planning staff will work as a team to solve problems as they occur. Strategies to improve existing customer service include: cross-training and integrating staff from different departments to encourage a broad understanding of the permit process and the designation of an ombudsman position to serve as a liaison between the private sector and permit issuing departments.

## Introduction

**Governor Wilson  
issued Executive  
Order W-35-92  
as an important  
step towards  
unscrambling  
California's  
permit process.**

**T**he downturn in California's economy, coupled with increased demands for government services, has State and local decision makers back at the drawing board to rethink government processes. California's permit and regulatory processes did not generate widespread calls for reform during the years of a strong State and national economy. As a result, these systems grew layer upon layer, and created complex networks of permit authority across department and agency lines.

In the past, the Governor's Council on Competitiveness, the Assembly Democratic Economic Prosperity Team, the Growth Management Council, and the California State Association of Counties' Red Tape Task Force all issued reports that identify structural problems inhibiting California's economic growth. The reports point to, among other things, multiple permit regulations which are unchecked for consistency or duplication; abuse of the CEQA process; and an uncertain, lengthy, and expensive land use approval process.

Among other actions, Governor Wilson issued Executive Order W-35-92 (see Attachment A) as an important step towards unscrambling California's permit process. The Executive Order directs the Office of Permit Assistance (OPA), under Government Code Sections 65922.7 and 65923.5, to develop strategies to assist local governments streamline their permitting. These *Local Permit Streamlining Strategies* are the result.

The strategies are based on responses to OPA's survey of selected cities and counties in California. In particular, the strategies incorporate streamlining procedures from localities with existing permit streamlining programs. These strategies also utilize general elements of OPA's *Rebuild Los Angeles Guidelines for Local Permit Streamlining* issued in August of 1992.

The strategies are advisory, and do not constitute a mandate on local governments. They do, however, offer local governments options leading to a chance to dramatically improve their operations, and their relationships with the regulated community.

The strategies are divided into sections which suggest alternative ways to streamline local permitting. Each section is followed by corresponding examples of suggested or implemented reforms. The examples illustrate ways localities review their permit procedures and requirements, and the responsibilities within their permit-issuing departments. In addition, they suggest administrative changes, such as public information counters or pre-application screening.

The CA Trade and Commerce Agency, Office of Permit Assistance is available upon request to provide technical assistance to help local governments implement an overall streamlining process.

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## Economic Development

**A**n Economic Development Element could be incorporated into a General Plan or an Economic Strategic Plan. The Element can be directed at a wide range of economic issues that do not all need to be dealt with simultaneously, but at various stages of the community's economic evolution.

Local agencies use permit streamlining as a means to strengthen their community development activities. However, reforming the permit process is only one method that enhances economic growth. Reinforcement of the planning process through the adoption of an economic element or strategic plan can be an effective method of managing growth. Benefits that can be derived from this integrated approach include:

- Better consistency with the housing, circulation and land use elements
- An improved local business climate
- Expansion of the local tax base
- Enhanced employment opportunities
- Reduction in administrative costs by elimination of overlap
- Improved oversight and control over the development process
- Application of local Economic Development Corporation goals

An improved permit process *is not* an impediment to land use planning and safeguarding community values. Adoption of an Economic Element or strategy *is* a proactive opportunity to implement a community's stated growth and development goals in the most efficient and effective means possible.

Communities that respond to the needs of their businesses — downtown, service, industrial and manufacturing — with an economic strategy or plan, lead the way in providing the quality of life that Californians demand. Some goals and policies that could be included in an Economic Development Element are the following:

- Permit Streamlining
- Balanced Employment and Housing
- Business Promotion
- Meeting Local Retail Needs
- Visitor Needs
- Promoting Downtown
- Cooperative Implementation
- Related Goals and Policies
- Capital Improvements Planning

STRATEGY

***Reinforcing the planning process through the adoption of an economic element or strategic plan can be an effective means of managing growth.***

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## **EXAMPLE**

### **City of Modesto**

The City of Modesto has prepared an Economic Development Strategy designed to assist the effort of rewriting the Modesto General Plan, now underway.

Modesto's Economic Development Strategy is designed to provide action-oriented programs, some of which Modesto can undertake immediately in order to improve its economic position.

The purpose of this strategy is to provide a direction and a vision for the general planning effort so that the Modesto General Plan reflects the commitment of economic development. This strategy will guide officials and staff of the City of Modesto in their future decisions to make Modesto a better place to live and work.

Excerpts from Modesto's mission statement include:

"The City of Modesto is in the business of creating balanced opportunities for its citizens:

- Enough jobs of the right kind for its residents, and
- Enough housing of the right kind for its workers.

"Modesto is pursuing a vigorous growth direction, particularly in the creation of jobs. Our Economic Development Strategy is a commitment to add over 10,000 jobs per year in the Modesto Urban Area in order to achieve a jobs/housing balance by the year 2015. Our Economic Development Strategy is also a commitment to add over 1,500 acres of new land dedicated to taxable sales by the year 2015."

## Planning the Streamlining Effort

**T**ime certainty in obtaining permits is often the most critical need of business. This certainty can make the difference in whether a community provides needed jobs and services, or whether those jobs and services go elsewhere.

Streamlined permitting — an essential ingredient of economic development planning — supports community planning by improving a jurisdiction's ability to attract employers. Economic development provides the base necessary for businesses which generate infrastructure revenues for schools, police and fire protection, health care, and other essential services every community demands. Business development can falter if permits are not issued in a timely manner, and if design and plan review becomes a time consuming, difficult and uncertain process.

### Putting the Group Together

Launching an effective permit streamlining process requires commitment by both elected officials and professional staff. Early attention to defining goals, objectives and impacts to those affected in the public and private sectors, and lining up support for the effort is crucial. At the local level, the Planning Department director, the Environmental and Health Department director, the Building Department director, the Economic Development Director, other administrators, and concerned interest groups should together define how a streamlining effort is best implemented. If these players are serious about designing an effective and efficiently run program, agreement can be achieved.

With limited resources, it may be difficult to find either the time or budget for an overall permit streamlining effort. However, streamlining reform strategies can be accomplished through use of existing organizational structures and personnel. Many communities have measurably raised the standard of service in the permit process with little more than a strong desire to improve both the quality of their work and their relationships with the regulated community.

When consensus building is started early in the formation of the permit streamlining process, future miscommunication and other problems can be avoided. Consensus building is a decision-making method of obtaining agreement from interested parties on the best way to proceed on a given task. Conflict is minimized when members of a broad based group help generate support for the recommendations from organizations they represent.

### Organizing the Group

The initial streamlining effort should begin with the group structuring an implementation plan, which includes methods by which implementation of results-oriented permit streamlining could occur in their local planning agencies through:

- Identification of the decision-making method by which the permit process will be streamlined, either by committee, consultant or public agency.

*Streamlined  
permitting  
supports  
community  
planning by  
improving a  
jurisdiction's  
ability to attract  
employers.*

*Strategy 2:*  
**Planning the  
Streamlining  
Effort**  
*continued*

- Identification of those who have a vested interest in permit streamlining and how to bring them into the consensus process.
- Initiation of consensus building within the group to identify the overall goal of streamlining the permit process.
- Identification of the desired goal, objectives, results and functions of the permit streamlining effort.
- How the issue of permit streamlining will ultimately be implemented. It could be incorporated as part of a city or county Economic Development Plan, as a stand-alone policy document, or in other ways. For example, it can be integrated on a daily basis by all agencies, or assigned to an executive or ombudsperson to oversee.
- The kind of staff and budget to be provided.
- The lead for coordination and/or data collection.

### **Data Collection for Analysis/Reports**

Before any report is submitted to a Board of Supervisors, City Council or other decision-making entity, drafts should be circulated for review and comment by each participating agency. The following list outlines some typical types of data needed to be collected for analysis:

- Adopted plans, ordinances, regulations, policies, agency mission statements and codes should be evaluated to determine the degree of consistency and coordination between them.
- Annual reports can be used to obtain some historical data.
- The average number of development permits which originate in each agency.
- Delays can be tracked by evaluating the average processing time it takes from the time an application is received to its approval. This data should be broken down to the number of days/months it takes for each sign-off from reviewing agencies.
- The number of appeals of each permitting agency, and the causes of appeals with resulting decisions.
- The number of agencies, departments, boards and other groups which must review an application.

### **Decision-Making Methods**

#### **By Committee**

A round table or technical advisory committee (TAC) consisting of representatives from the community, civic organizations, the private sector and public agencies can be formed to focus on the issue of permit streamlining.

#### **By Consultant**

When an objective analysis is desired, a consultant can be hired and responsible for obtaining relevant data, information and input. The consultant would formulate a



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report with overall recommendations as a product. Hiring a consultant is sensible if funds are made available and if staff does not have sufficient time to devote to this project.

**By Public Agency/Department Staff**

Agency staff can often define the strengths and weaknesses of existing functions more quickly on their own than through a group. However, their recommendations inherently reflect the government point of view. Issues important to other development participants could be overlooked. To minimize this issue, the staff can conduct their own interviews with public and private sector individuals, conduct surveys of the business and other communities and/or setup a small advisory group. If business surveys are conducted, they could also be applied to a business retention strategy.

**EXAMPLE**

**Stanislaus County**

**Red Tape Task Force**

For example, in Stanislaus County, the Board of Supervisors officially endorses the concept of permit streamlining. A "Red Tape Task Force" was established by the Board to solely address the county's permit streamlining strategy. The Board appointed representatives from public agencies and about 20 community representatives.

**Strategy 2:**

**Planning the  
Streamlining  
Effort**

*continued*

## CEQA Streamlining

**EIRs should not completely restate environmental baseline information recorded in previous documents.**

**T**he California Environmental Quality Act (CEQA) requires that decision making bodies openly analyze and consider the potential environmental effects of proposed actions before a final decision is made.

The State CEQA Guidelines recommends the following sequential three-step process to screen projects:

1. Is the project exempt from CEQA pursuant to statute or the State CEQA Guidelines? If so, no further analysis is necessary. If they have not done so already, agencies should develop lists of projects they commonly encounter that are exempt from CEQA. These would include permits that are ministerial under local ordinances and projects that are identified within the statutory and/or categorical exemptions in the State CEQA Guidelines.
2. If the project is not exempt, and does not result in a significant environmental effect, then a negative declaration must be prepared. If the project would have an effect, but the effect can be reduced to a level of insignificance by project revisions or mitigation measures prior to issuance of a negative declaration then a "mitigated negative declaration" can be prepared.
3. If the project has a significant effect that cannot be mitigated to a level of insignificance, then an environmental impact report (EIR) must be prepared. An EIR examines expected environmental impacts, project alternatives which might abate or avoid those impacts, mitigation measures and other pertinent topics.

EIRs should not completely restate environmental baseline information recorded in previous documents. Existing law does provide ways, such as master, tiered, supplemental, focused, subsequent, program and phased EIRs, to reduce the amount of information that needs to be included. This practice will help localities and applicants eliminate costly and time-consuming studies, and the need for some EIR's for projects whose effects have already been judged either insignificant or negligible.

Where incorporation by reference is used, the incorporated material needs to be summarized. Most localities have collected a substantial amount of information from past environmental review or planning studies. Types of information that can be incorporated by reference and summarized in an EIR includes: site characteristics, cumulative impacts, traffic and noise studies, presence of endangered plants and/or animals, flood plains, seismic faults, archeological sites and treatment of hazardous wastes.

The following methods can help expedite environmental review:

- Establish local, measurable thresholds of significance to guide the evaluation of projects. Such thresholds provide consistent levels of significance by which to gauge potential impacts.
- Use existing general plan, specific plan, project or program EIRs that have previously analyzed potential impacts on the project site, or have analyzed similar projects.

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When possible, these documents should be supplemented (i.e., tiered) or incorporated by reference. These methods are discussed at length in CEQA Guideline sections 15150, 15152, 15168, 15182 and 15183, among others.

**Strategy 3:**  
**CEQA**  
**Streamlining**  
*continued*

- State agencies should participate in early development of CEQA documents. Localities should contact State agencies which might have permit authority over projects for which the locality acts as lead agency. Early consultation with State agencies helps generate realistic project time frames, minimize mid-project surprises, and jurisdictional disputes. Early consultation also informs the applicant of necessary information to complete applications and documents in compliance with State and local permit regulations, identifies standard conditions, mitigation measures, and other factors. The Trade and Commerce Agency, Office of Permit Assistance routinely helps with early consultations on projects which involve both state and local projects.
- For projects that require review under both CEQA and the National Environmental Policy Act (NEPA), the two reviews may be combined into a single environmental document, pursuant to the CEQA Guidelines. The California Permit Handbook — published by the Office of Permit Assistance — contains a comparison of CEQA and NEPA requirements, and a model Memorandum of Understanding (MOU) for preparation of joint documents.
- For projects which pose significant environmental impacts and so clearly require an EIR, the initial study phase may be bypassed. The lead agency may proceed directly to the Notice of Preparation. This could save the project applicant and locality the 30 days of initial study.

An initial study may be used, to “focus” the project review on issues which may be significant, and used to reduce the scope of the EIR.

- CEQA does not require analysis of project impacts which are clearly insignificant. Projects in violation of either policy or ordinance with a limited chance of mitigation should be identified as early as possible. CEQA does not require environmental analysis of a denied project. (CEQA Guidelines Section 15270)

In addition to these provisions, legislation enacted in 1993 includes:

**AB 1888** — Public Resource Code 21156, Chapter 4.5

- AB 1888 authorizes Master Environmental Impact Reports (MEIRs) for certain activities. It emphasizes the study of cumulative impacts, growth-inducing impacts and irreversible significant effects of subsequent projects in a MEIR.
- AB 1888 provides that MEIRs are valid for only five years. Inherently, a MEIR must be reviewed and revised if necessary every five years.
- AB 1888 provides that if localities desire consultants to prepare EIRs that they be hired within 45 days. Rather than issue a Request for Proposal (RFP) for consultant services each time an environmental document must be prepared, an annual RFP process may be conducted to select several consultants to be available as needed, on a rotating basis.

*Strategy 3:*  
**CEQA**  
**Streamlining**  
*continued*

- AB 1888 explicitly authorizes Focused EIRs, which focus discussion upon environmental effects unique to a project which were not adequately discussed in a previously certified Master EIR which anticipated and described that project.
- AB 1888 defines "mitigated Negative Declaration." A mitigated negative declaration may be prepared when an initial study identifies potentially new or additional significant effects that were not analyzed in the MEIR, and, when feasible mitigation measures will be incorporated to revise the proposed subsequent project before the negative declaration is released for public review.
- AB 1888 provides an expedited review for later local analysis of project compliance with water quality, air quality and other state or regionally mandated pollution control equipment, regulations, or performance standards. The later review may be limited to a focused EIR where the pollution control agency establishing the equipment requirement or performance standard assessed the potential environmental impacts of implementing the requirement or standard at the time the requirement or standard was enacted.

**SB 919**

- Establishes a new requirement for state and regional air quality, water quality and other regulatory agencies to prepare environmental analyses of the reasonably foreseeable methods of compliance. This works in conjunction with the last point described under AB 1888.

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## Inventory Existing Permits

STRATEGY

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**A** key step towards streamlining a local permit process is an inventory of existing permits. An inventory will generally map out city or countywide permit responsibilities by agency and department. The inventory will show where duplicative efforts and permit overlaps occur, where consolidation of permit issuance will expedite the overall process, generate preliminary information useful in co-locating departments in a one-stop shop, consolidate approval authority, and lay the groundwork for a public assistance permit and development directory.

Specifically, the inventory should:

- List permits by department and generally describe the conditions to be met for their issuance.
- Identify all departments which will review the permit.
- List permits typically required for most businesses, e.g., gas stations, restaurants, and dry cleaners.
- List the appropriate contacts for applicants and the public within each permit department.
- List permit and license fees.
- Include the time required, once an application is deemed complete, for permit issuance.
- State whether the permit requires ministerial or discretionary approval.
- List the statute(s), legislation, or ordinance(s) which authorize the permit.

A permit review committee should collect and review the permits listed in department inventories and index them in a master permit matrix. The committee should consist of decision-making members from permit-issuing departments. In addition, localities are strongly encouraged to consult the private sector and other affected agencies. Groups knowledgeable of local permit issuance include: the local Chamber of Commerce, economic development agencies, community business leaders, builders, developers, engineers, architects, affordable housing advocates, and environmental interests. Private sector organizations which frequently apply for, or work with, local permits may suggest ways to simplify permit issuance.

Recommendations should be developed by the review committee. The recommendations should be reviewed by responsible department administrators to improve the coordination of existing permit activities, consolidate permit processes where possible, increase certainty in the permit process, and minimize procedural delays by streamlining department review. The review committee should ultimately present its recommendations to the City Council or Board of Supervisors.

The review committee should conduct a periodic review to keep the information on the permit matrix current. Modifications shall be made to affect changes or amendments to permit procedures.

***The inventory will show where duplicative efforts and permit overlaps occur.***

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**Strategy 4:**  
**Inventory**  
**Existing**  
**Permits**  
*continued*

The Office of Permit Assistance, with help from local government officials in the City of Los Angeles, designed a permit matrix with many of the previously mentioned for the Rebuild Los Angeles permit streamlining effort (Attachment C). Placer County and Sonoma County devised similar matrixes to review current county permit procedures (Attachments D and E). These examples may provide assistance in developing a matrix review.

Placer County developed a permit streamlining program implementation plan master calendar to schedule the implementation of their permit review committee's recommendations to restructure permitting (Attachment D). The calendar sets out and prioritizes policy goals, lists actions and agency responsibilities necessary to reach those goals, and helps to establish time lines and completion dates to implement permit streamlining actions.

## Consolidation

Once the identification of all permits is complete, localities should review those permits and permit processes for consistency, duplication and necessity. Each permit-issuing department should focus this review on permits that can be combined, eliminated, or simplified. Based on the department review, the oversight body or permit review committee should make recommendations to the City Council or Board of Supervisors.

Similarly, staff should inventory and review all permit-related programs such as inspections, fee collection and monitoring standards for duplication, inefficiency, and regulatory inconsistencies. These programs frequently clutter the permit process.

Sonoma County's Business-Regulatory Task Force reported, "... in general, agencies with responsibility for regulation by category do not interact together to develop simplified regulatory processes, inspections, fee collection, and more. Instead, each agency devises work from legislative mandates, and operates within those mandates and legislative directions. The only entity that experiences the entire regulatory process is the business owner/manager, who encounters the various inspectors, fee collectors, enforcement personnel, and other agency staff and paperwork on a frequent basis."

To encourage ongoing interdepartmental cooperation, localities should develop a screening system for proposed ordinances and programs. All proposals can thus be reviewed for their affects prior to implementation.

Information gathered from permit and ordinance inventories, as identified in Strategy 4, should:

- Recommend merging those departments or permitting functions with overlapping responsibilities.
- Recommend the elimination of redundant, ineffective, or outdated ordinances, programs and policies.

The consolidation of departments and department responsibilities is admittedly not an easy task. A survey response from San Joaquin County's Community Development Department cites internal reluctance to streamline government functions: "It is very difficult to change years of routines and accumulated responsibilities. Many departments and agencies, even within the County governmental framework, were or are reluctant to yield responsibility to a coordinated permitting process, and those agencies outside the county government may or may not choose to participate in the process."

Localities must make a commitment to streamlining to bring about necessary permit changes. This commitment should involve:

- The appointment of an individual with technical knowledge and leadership qualities to head up implementation efforts.
- Educating staff to the purpose of the streamlining program and schedule.
- Providing public and staff notice before ultimate changes go into effect.

***Each permit-issuing department should focus on permits that can be combined, eliminated, or simplified.***

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*Strategy 5:*  
**Consolidation**  
*continued*

- A monitoring program.
- A budget for anticipated changes.

Ultimately, the consolidation of local permits, departments, ordinances, and policies simplifies the permit issuance process, makes easier public access to permit services, and creates a system in which an individual, as opposed to potentially several offices, is held accountable for permit issuance (see Permit Coordinator, Strategy 8).

Consistency in policy decisions, application forms, staff accountability, quality customer service levels, and expedited processing times all help to establish trust between the public and the locality, as well as within and between local departments.



## One-Stop Shop

**L**ocal governments should, when practical, establish a centrally located one-stop shop for businesses, developers, and other permit applicants to obtain information and application materials for necessary permits and approvals as well as any assistance with business or governmental matters. Where appropriate (e.g., a large jurisdiction), multiple shops can be established at convenient locations for applicants. Each one-stop shop should be staffed by or have access to representatives of all permit-issuing departments and include:

- A public information counter where applicants can access counter staff representing principal permit departments to provide immediate review of permit applications and assistance in determining information required to complete permit application forms.
- Standardized application forms for all necessary permits.
- A single location for getting application materials, publications, brochures, and guidelines to explain the development-review process. It is helpful to train staff with these materials to emphasize the benefits and limitations of self-help brochures.
- Counter staff with authority and ability to immediately sign off on minor, ministerial permits or licenses that require little or no review (e.g., roofing, placement of mechanical equipment, etc.).
- A bulletin board to publicly post changes in fee structures, engineering requirements, zoning changes, and completion of studies.
- A single point to issue all permits and submit all fees required for permits and licenses.

For those services not available at the one-stop, referrals may be made to other agencies for assistance.

Strategies for implementing and staffing one-stops can include, at the jurisdiction's option, full or part-time staff, MOU's between departments, cross-training and other actions. Some jurisdictions are unable to fully staff a one-stop shop because of independent multi-jurisdictional districts — such as sanitary and fire districts — that have substantial permit authority within the jurisdictions. In the case of fire districts, statutory requirements for staff to report to the fire chief frequently obstruct the issuance of fire permits through the one-stop shop. Personnel exchanges, arrangements to compensate districts for shared staff, cross-training or MOUs facilitating the district's participation in a one-stop permit counter are means of bringing district personnel into the one-stop shop.

Smaller sized localities that do not have the workload of their larger counterparts, should direct employee transfers or MOUs to meet their particular needs in the most efficient and effective possible way. This may involve a representative from the independent agency, with permit sign-off authority, staffing the one-stop shop one or two days a week, or the assignment of a city/county representative to regularly hand carry applications needing approval to the independent agency. Localities could also develop

***Each one-stop shop should be staffed by or have access to representatives of all permit-issuing departments.***

Strategy 6:  
**One-Stop Shop**  
*continued*

an appointment calendar whereby the public could arrange to meet with independent agency representatives at the one-stop shop.

In any case, the local jurisdiction should communicate clearly to the public the representative's scheduled work days and hours at the "one-stop shop."

## **EXAMPLES**

### **City of San Jose** *Information Counter and Brochures*

The City of San Jose uses telephone information lines and counter service to provide permit assistance for callers and walk-ins. Counter staff is rotated to ensure that experienced planning staff fields questions and directs applicants to appropriate local permit departments.

In addition, the City uses inexpensive, color-coded brochures (Attachment F) to help explain different permit categories and procedures (e.g., Site Development Permit Process, Conditional Use Permit Process, Special Use Permit, Environmental Review) and to list government contacts for additional information.

### **City of Irvine** *Public Information Counter*

The City of Irvine's Community Development Department houses two, easily accessible and adjacent, public counters in its main lobby: a Building Permit Counter and a Planning and Zoning Counter. All building and grading permit applications are processed at the Building Permit Counter, while the adjacent Planning and Zoning Counter receives all discretionary case applications. The Building Permit Counter has separate applications for the following ministerial permits: building, electrical, mechanical, grading, encroachment, and construction permits. Staff is available at both counters to promptly assist applicants to complete permit application forms.

In addition, the City of Irvine provides detailed information sheets for discretionary case types. Discretionary projects consist of one or more of the following: zone variance, zone change, general plan amendment, and conditional use permits. Information sheets describe characteristics of each case type and list submittal requirements. Discretionary case information sheets include descriptions of the discretionary review process, application submittal requirements, the screen check process, public hearings, and staff review. In addition, the sheets list processing fees, and contain a filing/hearing schedule and a development review process flow chart.

### **El Dorado County** *Permit Center*

El Dorado County offers a one-stop permit shop with the ability to print and issue permits on the spot. The center contains: a self-help area where publications and forms are available; pre-application permit screening; and a permit counter staffed by representatives from principal permit-issuing departments to assist applicants.

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A project applicant is typically met at the pre-application screening area by an Application Processing Specialist (APS) with a good understanding of the overall development process. After a brief screening interview to determine the level of review necessary for the proposed project, the APS directs the applicant to a numbered station inside an adjacent room housing the permit counter.

*Strategy 6:*  
**One-Stop Shop**  
*continued*

The permit counter is divided into stations manned by technicians or "techs" from the County Building Department, Planning Department, Department of Transportation, and Environmental Management staff. The "tech" reviews the applicant's plans and application for completeness and enters project information into a computer system through which all community development staff can access the information. The "tech" then determines the proper routing for the application.

If an application is for a simple project, such as the building of a small deck or garage, the "tech" performs the plan check for the Building Department and the review for the Planning Department, and, when applicable, approves the permit. The applicant then goes into an adjoining cashier's office, pays the permit fee or fees, and is issued the permit on the spot. If the permit is more complex (e.g., a commercial project), the County charges a plan check fee and routes the application to the appropriate departments or agencies.

When all approvals are obtained, Building Department personnel notify the applicant, who then pays for and receives the permit at the center. The time necessary for plan review depends upon the number of permits required and the complexity of the project. However, information shared over the computer system and co-located staff facilitates communication where time would otherwise be required to circulate materials. Some 80% of all ministerial El Dorado County permits are issued either over-the-counter or the following day.

Questions sometimes arise that are beyond the expertise of the "tech" reviewing the permit. Staffing counter work stations with personnel from the various development services enables the County to respond quickly to questions that would otherwise require time for referral and response. In addition, this interaction gives all staff, "techs" as well as departmental personnel, a broad knowledge of the overall permit process.

**Restructure local permitting procedures to facilitate communication and anticipate commonly occurring delays.**

## Expedited Permit Issuance and Development Review

**T**his strategy suggests ways to restructure local permitting procedures to facilitate communication between departments, and make administrative changes that simplify and clarify the permit process.

Clear communication among departments, applicants and localities improves the processing of permit applications. Delays are usually created by one or more of the following:

- Project applicants not supplying permit agencies with adequate information to have applications deemed complete.
- Localities not providing applicants with a comprehensive list of application completion requirements.
- Project applicants not learning up front, and often not until after much of the work on a project is underway, that additional permits or review steps are necessary for project approval.
- Localities not promptly informing applicants of the specific shortcomings of an application.
- Poor communication and lack of information-sharing networks between departments which often result in delays in distributing applications between departments. These delays are often caused by backlogged staff failing to circulate documents or notify applicants of approaching deadlines.

Localities can guard against permit delays by anticipating communication problems and commonly occurring delays. The following comments indicate some areas where delays in the streamlining process can be avoided:

### Timeframes

- Adhere to time lines. The most effective way to streamline local permit processes is to focus on the shortest period of time necessary to accomplish permitting requirements, not on the maximum allowable by law.
- Move project applications to the appropriate decision-making body for action at the earliest date that the required information and analysis are completed.

### Prioritize

- Define or adjust categories of permits and projects (e.g., ministerial, major/minor discretionary, major/minor projects) to reduce the number of any applications which receive a higher level of review than necessary.
- Review, issue, or approve over-the-counter, or ministerial and routine, permits as quickly as possible from the one-stop office.

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- Localities can consider limiting hearing continuances granted to projects not forthcoming with clearly requested information that is necessary to expedite permit review.
  - Wherever possible and deemed appropriate, consider delegating decision-making authority to the Planning Commission or Zoning Administrator. Delegate permit review authority, particularly for ministerial permits, to trained and qualified counter staff. This eliminates the time-consuming, upstream circulation of permits to senior level staff.
  - The Zoning Administrator, instead of the Planning Commission, should review and, where applicable, administer conditional use permits (CUP) for certain land uses. In particular, this review would apply to uses in which CUPs ensure compatibility with surrounding uses, rather than where a use may or may not be deemed acceptable. Planning Commissions are frequently backlogged with land-use and discretionary permit review applications. Authorizing the Zoning Administrator to make designated CUP decisions will help to expedite the permit process.
  - Similar to reviewing regulations for overlap and duplication, inspection activities should be studied and consolidated wherever possible. For example, a single hazardous materials review and inspection could be done either by a local jurisdiction's environmental health or fire department, since both of these departments have responsibility in this area.

**Strategy 7:**  
**Expedited**  
**Permit Issuance**  
**and**  
**Development**  
**Review**  
*continued*

## **Communication**

- Conduct weekly or bimonthly meetings to review multi-approval projects requiring multiple approvals.
- To save time, require applicants to submit multiple hard copies of documents or computer disks for circulation to all reviewing departments. This will enable concurrent review of permits.
- Conduct early consultation meetings to encourage application completeness on the first submittal.
- Respond to applicants immediately and in writing when an application is not complete. Explain precisely what information must be submitted to make the application complete.
- If applicable, local agencies can develop interdepartmental agreements for permit coordination, adherence to milestones, progress tracking, CEQA document review, and technical assistance. The goal should be to develop better cooperation and communication among permitting and licensing departments within the jurisdiction. Agreements for interdepartmental cooperation should also include an evaluation for inconsistencies or duplication among local regulatory activities.
- Whenever possible, localities can encourage the use of existing environmental documents through a database or index system. That system should include but not necessarily be limited to: EIR's, traffic studies, assessor's parcel maps, storm drainage maps, aerial maps, and activity maps. Information from existing studies will help save

Strategy 7:  
**Expedited  
Permit Issuance  
and  
Development  
Review**  
*continued*

the applicant and staff time and money. It helps to expedite environmental review. In addition, using existing information helps the applicant to provide information necessary for compliance with both State and local permits without commissioning additional studies. Localities, in turn, can recover costs of maintaining the index or database by charging reasonable user fees.

## **EXAMPLES**

### ***City of Sunnyvale Fast Track Review***

The City of Sunnyvale expedites permit issuance through three different categories of permit review. These categories help staff to identify and expedite incoming projects towards the most efficient and timely form of project review.

Approximately 80% of all applications processed go through "express review." In "express review," the project applicant sits across a permit counter from a staff inspector or department specialist with the authority to issue ministerial permits, who reviews plans and the permit application for content and completeness. "Express review" typically results in same day or next day permit issuance on the spot.

Not all project types qualify for express review. Applications for new buildings, projects involving chemical handling or storage or handling of hazardous materials, and two-story residential units are reviewed in compliance with State law and processed within 30 days.

A third category, "advantage process," accelerates permit review based upon specific project needs and roughly cuts in half the baseline 30-day review period for projects that are not a threat to public health and safety and that involve minor permitting determinations but that require more rigorous review and approvals than required for "express review."

In many cases, the City of Sunnyvale routinely receives permit applications via FAX machine. This allows applicants to complete routine applications or provide additional, requested information without necessarily coming into the city offices.

### ***San Diego County Limiting Continuances***

San Diego County's Permit Streamlining Task Force recommends that hearings for development projects "... should generally not be continued unless there is a good cause; that the factor of 'good cause' should be balanced against increased costs and inefficiencies; that generally no more than three continuances should be permitted; and that failure of an applicant to make reasonable progress in submitting additional information required by a hearing body may be cause for denial." The "three-strikes-and-you're-out" approach sends a clear message for applicants to provide requested and complete project information necessary to expedite review.

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**City of Sacramento****Zoning Administrator and Fee Reductions**

The City of Sacramento recently established a Zoning Administrator position that will help to streamline many review processes. Small neighborhood projects, such as variances for yard setbacks, will now be heard by the Zoning Administrator rather than the Planning Commission or City Council. This new position assumed many of the actions of the Planning Director and resulted in the recommended reduction of development fees.

**Stanislaus County****Guidance Package**

The Stanislaus County Planning Department utilizes a process known as a “Guidance Package” to allow all parties involved in a large, complex project — usually requiring an EIR — to clearly understand the entitlement and permit process. Starting with the project location and description, zoning regulations are then determined along with any and all required entitlements or permits. Environmental review is spelled out, subdivision requirements delineated, timelines established, and fees and other relevant issues identified. All of the components of the Guidance Package are compiled and reviewed with the project developer, then brought to the Board of Supervisors for their review and acceptance. Once the process is started, everyone can follow the provisions of the Guidance Package.

**Strategy 7:****Expedited  
Permit Issuance  
and  
Development  
Review***continued*

## Permit Coordinator

**The permit coordinator gives the applicant or public a direct and personal link with the local permit process.**

**T**he local jurisdiction's City Manager or Chief Administrative Officer, in collaboration with the Planning Director and Director of the Building Department, can assign a permit coordinator. Applicants would be guided through the permit process by the coordinator, and informed of steps necessary to comply with local permit regulations.

The permit coordinator gives the applicant or public a direct and personal link with the local permit process. A single, accountable official or ombudsman can save the applicant time by contacting local, regional or state permit agencies as project-related questions arise. An on-line permit tracking system gives the coordinator access to the status of permits and applications, in addition to the ability to identify the necessary permits and/or licenses required for project compliance.

In addition, the permit coordinator's experience with the development process, business administration, contacts with Economic Development Services, Chamber of Commerce, the CA Trade and Commerce Agency, elected officials and overall understanding of the local permit issuance should help the applicant to anticipate permit requirements early on in the process.

The permit coordinator or project planner should have responsibility to:

- Carry the proposal from pre-application screening discussions, through the approval process, and into follow-up and enforcement of permit conditions. In pre-application screening, applicants should submit a plan for preliminary review by planning staff to identify potential problems early in the permit process. In projects requiring several discretionary permits, the permit coordinator should review the project application for overall conformance with adopted development policy such as the General Plan, Zoning Ordinance, and Design Guidelines.
- Prepare and present all project-related staff reports (e.g., progress reports, time lines) to the Planning Commission and City Council or Board of Supervisors to help the applicant prepare all permit applications, and maintain project files. The Stanislaus Planning Commission example on Page 29 describes one method of offering a Guidance Package which includes permit information.
- Direct applications to their appropriate department for review in instances of complex, multi-permit projects where over-the-counter permit issuance is not applicable.
- Resolve disputes. Resolving serious differences of opinion between parties can become necessary at any time in the permit process. It is reasonable to expect that parties with serious conflicts will sit down and try to work out their differences. An increasing number of disputants are turning to facilitated negotiation as opposed to court to produce positive results.

There are formal and informal methods and types of dispute resolution. One excerpt from the Oregon Department of Land Conservation and Development, *A Checklist from Dispute Resolution: A Handbook for Land Use Planners and Resource Managers*, (Salem, 1990) is found in the attachments section.



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For complex projects, the project coordinator should consider contacting the Trade and Commerce Agency, Office of Permit Assistance for help in forming an interagency “red team” for:

1. Coordinated project review at the state and local levels;
2. An early consultation meeting .

Please see the section *For Further Information* for contact names and phone numbers.

**Strategy 8:**  
**Permit**  
**Coordinator**  
*continued*

## **EXAMPLES**

### ***The City of Salinas***

The City of Salinas found “... In most cases, the applicant works closely and cooperatively with the Project Planner because he/she is seen as an advocate for the project ... Staff members like the concept because they have a considerable amount of responsibility for the way a project is developed and they have a sense of accomplishment when the project is built... This system avoids the confusion and contradiction which can occur when an applicant goes to different members of the staff and receives different answers to questions about his/her project.”

### ***City of Sacramento***

The City of Sacramento authorizes a permit coordinator to convene a “response team,” comprised of permit specialists from different city departments, to assist project applicants to determine necessary permits and to work to find solutions to permit problems. The permit coordinator can convene a “response team” within 24 hours. In an economic growth report, the City lists the following benefits of the “response team” program:

- The applicant works directly with City planning staff. This is helpful in developing working relationships and creating projects amenable to both applicants and local officials.
- The City has an opportunity to “put its best foot forward.” Greetings by City council members and Commission members, in conjunction with an assigned City staff member helps to demonstrate the City’s interest in working cooperatively with developers and business people through the permit and development review process.
- Up-front or pre-application assistance to the applicant saves City staff time and the applicant headaches and frustration. Again, the exchange of information early in the permit process helps localities and applicants minimize permit hassles and miscommunication.

### ***County of Stanislaus***

Refer to Page 29 for information concerning how Stanislaus County prepares a comprehensive packet of information called a “Guidance Package”. The Guidance Package is provided to coordinate applicants and local agencies.

**Computer tracking systems are one of the most efficient means of improving organization, accountability, and communication.**

## Computerized Permit Tracking

**C**omputer tracking systems give local permit departments access to information entered at any point along a computer network. Tracking systems potentially give staff members working in separate permitting departments access to the same information; facilitate the concurrent processing of permit applications; reduce the need to copy and circulate application forms and related materials among several departments; and, importantly, expedite department review of application materials. Computer tracking systems in use at both El Dorado County and the City of Sunnyvale do the following:

- Provide current information for building inspectors, including but not limited to: project information (e.g., owner, location, contractor data); previous inspection results; information on a contractor's compliance with worker's compensation fees; parcel numbers; seismic hazard areas; and historic sites. The database providing this information saves staff the time of researching individual projects. Staff members must only identify the project by assessor's parcel number and the computer automatically retrieves relevant information about site characteristics (e.g., flood plains, zoning classifications, etc.).
- Automatically notify departments of permit deadlines.
- Where applicable, automatically tabulate building and other fee rates (e.g., if a building permit is \$1 per square foot, the computer tabulates the area of the affected space and totals the fees). This reduces administrative time localities must spend issuing permits and facilitates over-the-counter permit issuance.
- List the types of permits issued and owner/builder information. This gives the applicant and department staff an accurate and current status report on project-related permits. In addition, it helps a permit coordinator track permits and encourages an expedited review by involved permit departments.
- Create an assessor's data base including but not limited to information about: ownership, soil constitution, flood potential, topographical characteristics, property values and zoning.

Computer tracking systems are one of the most efficient means of improving organization, accountability, and communication. Computers facilitate the assignment of a single project code number to track a project through all phases of permit and development review.

### EXAMPLES

#### *City of Lathrop*

The City of Lathrop suggested that smaller cities with limited development, lacking either the funding or need for sophisticated computer systems, could track development permits by hand or with basic software and/or an E-Mail system that is less expensive than large computer networks: "One person could weekly spend no more than one hour

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updating a status report on permits which could then be distributed to various departments so that nothing is ignored and everyone knows what is happening with major permits. This would not need to be done except on large projects and small cities don't have that many large projects going on at one time. This process could also be handled in conjunction with a staff meeting at which all of the major permits are reviewed and the data gathered for inclusion in the status report."

**Strategy 9:**  
**Computerized**  
**Permit**  
**Tracking**  
*continued*

**City of Laguna Beach**

The City of Laguna Beach is a small, primarily residential community with a central business district. Laguna Beach was in a state of emergency in late 1993 due to an extensive fire. The town has since implemented an on-line permit tracking software system which identifies parcel based information such as; address, ownership, valuation, parcel size, units, and zoning. Geographic information, fees and fee payment information, permits and other data are also on-line. Concurrent permit processing is effectively utilized to condense the permit processing time. The program can identify and monitor the necessary permits by project as well as the status of applications in the permit cycle to identify time frames, processing problems and accountability.

## Customer Assistance

**Local governments and the private sector frequently cite the importance of positive staff attitudes.**

**L**ocal governments, residents and the private sector frequently cite the importance of positive staff attitudes, especially of staff dealing directly with the public, to any streamlining program. Attentive and consistently helpful customer service helps to: 1) create trust and confidence in applicants; 2) ensure that localities treat all permit applications in a fair, timely, and efficient manner; and 3) that planning staff will work as a team to solve problems as they occur.

This trust is perhaps the greatest asset of any permit streamlining process. It facilitates the exchange of information between applicants and local governments that may both otherwise expend resources and time protecting their interests. A consistent process and cooperative staff attitudes go a long way towards establishing this trust.

The Office of Permit Assistance recommends the following suggestions to improve customer service. Technical assistance at no cost is available to help localities implement these recommendations:

- Recognize businesses as customers of the city or county and understand that the effectiveness of city or county services has significant bearing on a business' ability to compete.
- Cross-train and integrate staff from different departments to encourage a broad understanding of the permit review process.
- Establish periodic meetings with the private sector (e.g., builders, developers) to generate input to improve permit services and to gauge efforts to implement streamlining procedures.
- Designate an ombudsman as a liaison between the private sector and the Community Development or Planning Department to work with applicants having difficulty obtaining permits or licenses, or otherwise in dealings with the local agency.
- Conduct a series of workshops to provide information on County/City requirements and changes in procedures, regulations, and policies.
- Implement customer follow-up surveys to gauge public satisfaction and to suggest changes to permit processing and issuance.
- Conduct an annual staff workshop to discuss organizational, interpersonal, and public relations issues.
- Conduct staff workshops on customer service, project management, running a business and land development.
- Conduct field trips for business representatives to walk through the local permit issuance process. This will help companies understand the importance of pre-application screening and consultation opportunities within the planning department.
- Provide additional training for frontline, public contact staff to recognize opportunities to efficiently handle communication problems. To do this effectively, public

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contact staff need to have an awareness and appreciation for the resources, duties and problems faced by other divisions/departments and answering points throughout the county or city. They must also present an objective and professional demeanor when dealing with applicants and the public.

**Strategy 10:**  
**Customer Assistance**  
*continued*

- Provide marketing materials, visual aids and flow charts of the full permit process to local Chambers of Commerce, trade associations, service clubs, business leagues and other government offices where potential applicants would be likely to review these materials.
- Develop red flag review process as a customer service, business retention tool. This review process will enable planners to target permit applications submitted by high impact companies, typically large job and revenue producers. All applications submitted by these businesses should be automatically highlighted by staff or computer to receive prompt attention from staff at all processing levels. Red flag review recognizes the importance of employers to local economic growth, and sends a clear message to businesses of their value to the region.
- Create a suggestion sharing mechanism whereby staff members from a particular department may pass along information useful to improve performance in another division/department.

## **EXAMPLE**

### ***City of Sunnyvale***

The City of Sunnyvale credits staff attitudes and customer service improvements with helping to improve economic development opportunities and to retain existing business. A paper published by the Sunnyvale Task Force for Economic Development recommends "... additional and continuous training be provided to all staff members providing services to businesses who are involved in the permit issuing process so that the emphasis is not on how to say 'no' nicely but how to 'get the job done.' Understanding that the City has a regulatory role, this makes it even more crucial to help companies to achieve a good outcome. The purpose would be to maintain a uniform approach that is founded in the precept: 'we are here to assist the customer in having a successful interaction with the City'."

The paper continues: "The permit process goes well when people focus on the intent or spirit of the regulations: it goes poorly if one fixes on the letter of the regulation. The permit process is not black and white; there are considerable gray areas that can make a substantial difference in the outcome. Staff can be better trained to recognize these opportunities and act upon them."

It is important to note that an effective customer service program will not compromise environmental protection or public health and safety. It should seek solutions to permit problems where those solutions are within the law and public interest.

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## FOR FURTHER INFORMATION

### Trade and Commerce Agency

Office of Permit Assistance (OPA) 916/322-4245  
801 "K" Street, Suite 1700  
Sacramento, CA 95814

Office of Business Development 916/322-1398  
Tom White  
801 "K" Street, Suite 1700  
Sacramento, CA 95814

Office of Small Business 916/327-HELP  
Grace Daniel  
801 K Street, Suite 1700  
Sacramento, CA 95814

Los Angeles Regional Office 818/683-2622  
Jerry Henderson  
200 East Del Mar Avenue, Suite 302  
Pasadena, CA 91105

Bay Area Regional Office 408/277-9799  
Bob Switzer  
111 N. Market Street, Suite 815  
San Jose, Ca 95113

### Other Regional Information Sources

L.A. Business Revitalization Center 213/290-7100  
Baldwin Hills Crenshaw Plaza 800/HELP 4 LA  
3650 Martin Luther King, Jr. Blvd., Suite 246  
Los Angeles, CA 90008

Business Environmental Assistance Center 800/662-BEAC  
Ron Crimper  
100 S. Anaheim Blvd., Suite 125  
Anaheim, CA 92805

Placerville Planning Division 916/642-5252  
Jack Atkins  
437 Main Street  
Placerville, CA 95667

Sonoma County Economic Development Board 707/524-7170  
Ben Stone  
2300 County Center Drive, Room B-177  
Santa Rosa, CA 95403

San Jose Department of City Planning 408/277-4576  
Joan Taylor  
801 North 1st Street, Room 400  
San Jose, Ca 95110

CA Center for Public Dispute Resolution 916/445-2079  
980 Ninth Street, Suite 300  
Sacramento, CA 95814

**Executive  
Order  
W-35-92**

**EXECUTIVE DEPARTMENT  
STATE OF CALIFORNIA**

**EXECUTIVE ORDER W-35-92**

WHEREAS, the State of California seeks a fair, efficient, and expeditious permit process to promote beneficial development and to protect the natural environment and public health; and

WHEREAS, permit streamlining at all levels of government should encourage orderly and planned growth without compromising high environmental standards; and

WHEREAS, current state and local government permitting processes often entail bureaucratic delays, unnecessary costs, duplicative efforts, and contradictory rules without necessarily ensuring adequate or effective environmental protection; and

WHEREAS, a cooperative, interagency permit process is in the public interest to create new jobs, encourage new business development, conserve natural resources, and protect the environment;

NOW, THEREFORE, I, PETE WILSON, Governor of the State of California, by virtue of the power and authority vested in me by the Constitution and statutes of the State of California, do hereby issue this order to become effective immediately:

**Section 1. State Agency Work Group.**

**1. A State Agency work group is hereby created to:**

- (a) develop guidelines for State agencies responsible for issuing permits to streamline their permit processes and consolidate existing permits; and
- (b) formulate recommendations relative to permit streamlining, including specific changes in statutes or regulations.

**2. All State agencies and departments shall streamline their permit processes and consolidate existing permits to the extent legally permitted, consistent with the guidelines developed by the State Agency Work Group. In addition, by November 1, 1992 every agency and department shall review and analyze its policies and regulations, including application and licensing procedures, and report what changes should be made to enhance the State's ability to attract, retain, and support business and create needed jobs.**

**3. The State Agency Work Group shall comprise the Office of Permit Assistance within the Office of Planning and Research; the California Environmental Protection Agency; the Resources Agency; the Business, Transportation and Housing Agency; the Health and Welfare Agency; and such other members as the work group may judge advisable, including representatives of federal and local agencies. The State Agency Work Group will be convened by the Director of the Office of Permit Assistance.**

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**Section 2. Governors Office of Permit Assistance.**

Coordinating with the State Agency Work Group, and with its support, the Governor's Office of Permit Assistance shall:

- (a) coordinate and implement an interagency plan to streamline permitting Statewide and locally, including specifically without limitation the following elements
  - (I) guidelines for intra-agency permit streamlining;
  - (II) development of a database of agency completeness criteria;
  - (III) development of a database to track all state permit applications;
  - (IV) development of electronic filing systems;
  - (V) development and issuance of local permitting guidelines, as set forth below in Section 3.
- (b) develop a consolidated permit application information form to aid in identifying State permits required under Government Code Section 65946(a);
- (c) develop a consolidated permit application form for State permits consistent with Government Code Section 65946(a);
- (d) implement a pilot program to monitor and track a streamlined permit process.

**Section 3. Local Permitting.**

Pursuant to Government Code Sections 65922.7 and 65923.5, the Office of Permit Assistance shall convene a task force to develop guidelines to assist local government streamline local permitting. The task force shall consist of representatives of the California State Association of Counties; the League of California Cities; California Air Pollution Control Office's Association; the California Environmental Protection Agency and other interested State and Federal agencies and such other members as the Director of the Office of Permit Assistance shall deem advisable.

**Section 4. Recommendations.**

By April 30, 1993, the Director of the Office of Permit Assistance shall report to the Governor on the results of these efforts and forward from the State Agency Work Group and the Local Permitting Task Force any recommendations for legislative changes in the permitting area.



IN WITNESS WHEREOF I have hereunto set my hand and caused the Great Seal of the State of California to be affixed this 18th day of September 1992.

*Patricia Wilson*

Governor of California

ATTEST:

Secretary of State



## ATTACHMENT B:

# Permit Streamlining Act

Excerpts from the California Government Code Sections 65920 to 65957.1

### Chapter 4.5. Review and Approval of Development Projects

#### Article 1. General Provisions

**65920.** Notwithstanding any other provision of law, the provisions of this chapter shall apply to all public agencies to the extent specified in this chapter, except that the time limits specified in Division 2 (commencing with Section 66410) of Title 7 shall not be extended by operation of this chapter.

*(Amended by Stats. 1982, Ch. 87, Effective March 1, 1982.)*

**65921.** The Legislature finds and declares that there is a statewide need to ensure clear understanding of the specific requirements which must be met in connection with the approval of development projects and to expedite decisions on such projects. Consequently, the provisions of this chapter shall be applicable to all public agencies, including charter cities.

*(Added by Stats. 1977, Ch. 1200.)*

**65922.** The provisions of this chapter shall not apply to the following:

(a) Activities of the State Energy Resources Development and Conservation Commission established pursuant to Division 15 (commencing with Section 25000) of the Public Resources Code.

(b) Administrative appeals within a state or local agency or to a state or local agency.

*(Amended by Stats. 1982, Ch. 87, Effective March 1, 1982.)*

**65922.1.** During a year declared by the State Water Resources Control Board or the Department of Water Resources to be a critically dry year, or during a drought emergency declared by the Governor pursuant to Chapter 7 (commencing with Section 8550) of Division 1 of Title 2, the time limits established by this chapter shall not apply to applications to appropriate water pursuant to Part 2 (commencing with Section 1200) of Division 2 of, to petitions for change pursuant to Chapter 10 (commencing with Section 1700) of Part 2 of Division 2 of, or to petitions for certification pursuant to Section 13160 of, the Water Code for projects involving the diversion or use of water.

*(Added by Stats. 1991, Ch. 12 of extraordinary session, Effective October 9, 1991.)*

**65922.3.** The Office of Permit Assistance is hereby created in the Office of Planning and Research. The office succeeds to, and is vested with, all of the duties, purposes, and responsibilities required to be performed by the Office of Planning and Research pursuant to former Article 6 (commencing with Section 65050) of Chapter 1.5 of Division 1 of Title 7 of the Government Code. The office shall develop guidelines to provide technical assistance to counties and cities in establishing and operating an expedited development permit process. The guidelines shall include, but not be limited to, all of the following elements of a local permit process:

(a) A central contact point with a public agency where all permit applications can be filed and information on all permit requirements can be obtained.

(b) A referral process to (1) refer the applicant to the appropriate functional area for resolution of problems and fulfillment of requirements, (2) refer the applicant to cities within the county in whose sphere of influence the proposed project lies for review, comment, or imposition of condition permits, (3) assign an individual from the local government to be responsible for guiding the application through all local permit bodies, or (4) include any combination of the above.

(c) A master permit document which covers permits for all functional areas and which could be used for obtaining the approvals of the various functional areas.

(d) A method of tracking progress on various permit applications, which may include identifying a staff person responsible for monitoring permits.

(e) A determination as to completeness of the master permit document upon its submission and a written statement of specific information that is missing, if any.

(f) Timetables for action on individual permits.

(g) An expedited appeal process to assure fair treatment to the applicant using existing agencies, staffs, commissions or boards, where possible.

(h) A variety of administrative mechanisms that will describe the least costly approaches for implementation in a variety of local circumstances.

In developing the guidelines, local variations in population rate of growth, types of proposed development projects, geography and differences in local government structure shall be recognized.

*(Added by Stats. 1983, Ch. 1263.)*

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65922.5. The guidelines established by the Office of Permit Assistance pursuant to Section 65922.3 shall be advisory in nature and in no way shall they constitute a mandate upon cities and counties to take any of the actions contained therein.

*(Added by Stats. 1983, Ch. 1263.)*

65922.7. Subject to the availability of funds appropriated therefor, the Office of Permit Assistance shall provide technical assistance and grants-in-aid to assist counties and cities in establishing an expedited permit process pursuant to Section 65922.3. Any city or county receiving such a grant shall enact an expedited permit process within 10 months of the date of receipt. Nothing in this section or Section 65922.3 shall in any way preclude a county or city from establishing an expedited permit process pursuant to a procedure established solely by that county or city. If the office has adopted guidelines pursuant to Section 65922.3 and a county or city has established an expedited permit process pursuant to its own procedures, in all cases the process established by the city or county shall prevail over conflicting provisions of the guidelines.

*(Added by Stats. 1983, Ch. 1263.)*

65923. The Office of Permit Assistance shall provide information to developers explaining the permit approval process at the state and local level. The office shall ensure that all state agencies comply with applicable requirements of this chapter.

*(Amended by Stats. 1983, Ch. 1263.)*

65923.5. (a) The Office of Permit Assistance may call a conference of parties to resolve questions or mediate disputes arising from permit applications on any proposed development project.

(b) The office shall assist state and local agencies in an attempt to streamline the permit approval process at the state and local level.

(c) The office shall provide information to developers to assist them in meeting the requirements of the California Environmental Quality Act, Division 13 (commencing with Section 21000) of the Public Resources Code.

*(Amended by Stats. 1983, Ch. 1263.)*

65923.8. Any state agency which is the lead agency for a development project shall inform the applicant for a permit that the Office of Permit Assistance has been created in the Office of Planning and Research to assist, and provide information to, developers relating to the permit approval process.

*(Added by Stats. 1983, Ch. 1263.)*

65924. With respect to any development project an application for which has been accepted as complete prior to January 1, 1978, the deadlines specified in Sections 65950 and 65952 shall be measured from January 1, 1978. With respect to such application received prior to January 1, 1978, but not determined to be complete as of that date, a determination that the application is complete or incomplete shall be made not later than 60 days after the effective date of the act amending this section in 1978.

*(Amended by Stats. 1978, Ch. 1113, Effective September 26, 1978.)*

## Article 2. Definitions

65925. Unless the context otherwise requires, the definitions in this article govern the construction of this chapter.

*(Added by Stats. 1977, Ch. 1200.)*

65926. "Air pollution control district" means any district created or continued in existence pursuant to the provisions of Part 3 (commencing with Section 40000) of Division 26 of the Health and Safety Code.

*(Added by Stats. 1977, Ch. 1200.)*

65927. "Development" means, on land, in or under water, the placement or erection of any solid material or structure; discharge or disposal of any dredged material or of any gaseous, liquid, solid, or thermal waste; grading, removing, dredging, mining, or extraction of any materials; change in the density or intensity of use of land, including, but not limited to, subdivision pursuant to the Subdivision Map Act (commencing with Section 66410 of the Government Code), and any other division of land except where the land division is brought about in connection with the purchase of such land by a public agency for public recreational use; change in the intensity of use of water, or of access thereto; construction, reconstruction, demolition, or alteration of the size of any structure, including any facility of any private, public, or municipal utility; and the removal or harvesting of major vegetation other than for agricultural purposes, kelp harvesting, and timber operations which are in accordance with a timber harvesting plan submitted pursuant to the provisions of the Z'berg-Nejedly Forest Practice Act of 1973 (commencing with Section 4511 of the Public Resources Code).

As used in this section, "structure" includes, but is not limited to, any building, road, pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

Nothing in this section shall be construed to subject the approval or disapproval of final subdivision maps to the provisions of this chapter.

"Development" does not mean a "change of organization", as defined in Section 56021, or a "reorganiza-

tion", as defined in Section 56073.

*(Amended by Stats. 1978, Ch. 1113, Effective September 26, 1978; Amended by Stats. 1986, Ch. 688.)*

65928. "Development project" means any project undertaken for the purpose of development. "Development project" includes a project involving the issuance of a permit for construction or reconstruction but not a permit to operate. "Development project" does not include any ministerial projects proposed to be carried out or approved by public agencies.

*(Amended by Stats. 1978, Ch. 1113, Effective September 26, 1978.)*

65928.5. "Geothermal field development project" means a development project as defined in Section 65928 which is composed of geothermal wells, resource transportation lines, production equipment, roads, and other facilities which are necessary to supply geothermal energy to any particular heat utilization equipment for its productive life, all within an area delineated by the applicant.

*(Added by Stats. 1978, Ch. 1271.)*

65929. "Lead agency" means the public agency which has the principal responsibility for carrying out or approving a project.

*(Added by Stats. 1977, Ch. 1200.)*

65930. "Local agency" means any public agency other than a state agency. For purposes of this chapter, a redevelopment agency is a local agency and is not a state agency.

*(Amended by Stats. 1978, Ch. 1113, Effective September 26, 1978.)*

65931. "Project" means any activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.

*(Added by Stats. 1977, Ch. 1200.)*

65932. "Public agency" means any state agency, any county, city and county, city, regional agency, public district, redevelopment agency, or other political subdivision.

*(Added by Stats. 1977, Ch. 1200.)*

65933. "Responsible agency" means a public agency, other than the lead agency, which has responsibility for carrying out or approving a project.

*(Added by Stats. 1977, Ch. 1200.)*

65934. "State agency" means any agency, board, or commission of state government. For all purposes of this chapter, the term "state agency" shall include an air pollution control district.

*(Added by Stats. 1977, Ch. 1200.)*

### Article 3. Applications for Development Projects

65940. Each state agency and each local agency shall compile one or more lists which shall specify in detail the information which will be required from any applicant for a development project. Each local agency shall revise the list of information required from an applicant to include a certification of compliance with Section 65962.5, and the statement of application required by Section 65943. Copies of the information, including the statement of application required by Section 65943, shall be made available to all applicants for development projects and to any person who requests the information.

*(Amended by Stats. 1982, Ch. 84; Amended by Stats. 1986, Ch. 1048 and Ch. 1019; Amended by Stats. 1987, Ch. 985.)*

**Note: SEC. 2. 65940.** (Section 65940 of the Government Code, as added by Section 2 of Chapter 84 of the Statutes of 1982, is repealed by Stats. 1986, Ch. 1048 and Ch. 1019.)

65940.5. (a) No list compiled pursuant to Section 65940 shall include a waiver of the time periods prescribed by this chapter within which a state or local agency shall act upon an application for a development project.

(b) No application shall be deemed incomplete for lack of a waiver of time periods prescribed by this chapter within which a state or local government agency shall act upon the application.

*(Added by Stats. 1986, Ch. 396.)*

65941. The information compiled pursuant to Section 65940 shall also indicate the criteria which such agency will apply in order to determine the completeness of any application submitted to it for a development project. In the event that a public agency is a lead agency for purposes of Division 13 (commencing with Section 21000) of the Public Resources Code, such criteria shall not require the applicant to submit the informational equivalent of an environmental impact report as part of a complete application; provided, however, that such criteria may require sufficient information to permit the agency to make the determination required by Section 21080.1 of the Public Resources Code.

*(Amended by Stats. 1978, Ch. 1113, Effective September 26, 1978.)*

65941.5. Each public agency shall notify applicants for development permits of the time limits established for the review and approval of development permits pursuant to Article 3 (commencing with Section 65940) and Article 5 (commencing with Section 65950), of the requirements of subdivision (e) of Section 65962.5, and of

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the public notice distribution requirements under applicable provisions of law. The public agency shall also notify applicants regarding the provisions of Section 65961. The public agency may charge applicants a reasonable fee not to exceed the amount reasonably necessary to provide the service required by this section. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

*(Added by Stats. 1983, Ch. 1263; Amended by Stats. 1987, Ch. 985.)*

**65942.** The information and the criteria specified in Sections 65940, 65941, 65941.5 shall be revised as needed so that they shall be current and accurate at all times. Any revisions shall apply prospectively only and shall not be a basis for determining that an application is not complete pursuant to Section 65943 if the application was received before the revision is effective except for revisions for the following reasons resulting from the conditions which were not known and could not have been known by the public agency at the time the application was received:

(a) To provide sufficient information to permit the public agency to make the determination required by Section 21000.1 of the Public Resources Code, as provided by Section 65941.

(b) To comply with the enactment of new or revised federal, state, or local requirements, except for new or revised requirements of a local agency which is also the lead agency.

*(Amended by Stats. 1983, Ch. 1263; Amended by Stats. 1987, Ch. 802 and Ch. 803.)*

**65943.** (a) Not later than 30 calendar days after any public agency has received an application for a development project, the agency shall determine in writing whether the application is complete and shall immediately transmit the determination to the applicant for the development project. If the written determination is not made within 30 days after receipt of the application, and the application includes a statement that it is an application for a development permit, the application shall be deemed complete for purposes of this chapter. Upon receipt of any resubmittal of the application, a new 30-day period shall begin, during which the public agency shall determine the completeness of the application. If the application is determined not to be complete, the agency's determination shall specify those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application. The applicant shall submit materials to the public agency in response to the list and description.

(b) Not later than 30 calendar days after receipt of the submitted materials, the public agency shall determine in writing whether they are complete and shall immediately transmit that determination to the applicant. If the written determination is not made within that 30-day period, the application together with the submitted materials shall be deemed complete for purposes of this chapter.

(c) If the application together with the submitted materials are determined not to be complete pursuant to subdivision (b), the public agency shall provide a process for the applicant to appeal that decision in writing to the governing body of the agency or, if there is no governing body, to the director of the agency, as provided by that agency. A city or county shall provide that the right of appeal is to the governing body or, at their option, the planning commission, or both.

There shall be a final written determination by the agency on the appeal not later than 60 calendar days after receipt of the applicant's written appeal. The fact that an appeal is permitted to both the planning commission and to the governing body does not extend the 60-day period. Notwithstanding a decision pursuant to subdivision (b) that the application and submitted materials are not complete, if the final written determination on the appeal is not made within that 60-day period, the application with the submitted materials shall be deemed complete for the purposes of this chapter.

(d) Nothing in this section precludes an applicant and a public agency from mutually agreeing to an extension of any time limit provided by this section.

(e) A public agency may charge applicants a fee not to exceed the amount reasonably necessary to provide the service required by this section. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

*(Amended by Stats. 1979, Ch. 1207, Effective October 2, 1979; Amended by Stats. 1984, Ch. 1723, Operative July 1, 1985; Amended by Stats. 1987, Ch. 985; Amended by Stats. 1989, Ch. 612.)*

**65943.** *(Added by Stats. 1987, Ch. 985; Repealed by Stats. 1989, Ch. 612.)*

**65944.** (a) After a public agency accepts an application as complete, the agency shall not subsequently request of an applicant any new or additional information which was not specified in the list prepared pursuant to Section 65940. The agency may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the application.

(b) The provisions of subdivision (a) shall not be construed as requiring an applicant to submit with his or her initial application the entirety of the information which a public agency may require in order to take final action on the application. Prior to accepting an application, each public agency shall inform the applicant of any information included in the list prepared pursuant to Section 65940 which will subsequently be required

from the applicant in order to complete final action on the application.

(c) This section shall not be construed as limiting the ability of a public agency to request and obtain information which may be needed in order to comply with the provisions of Division 13 (commencing with Section 21000) of the Public Resources Code.

*(Amended by Stats. 1982, Ch. 84.)*

**65945.** (a) At the time of filing an application for a development permit with a city or county, the city or county shall inform the applicant that he or she may make a written request to receive notice from the city or county of a proposal to adopt or amend any of the following plans or ordinances:

- (1) A general plan.
- (2) A specific plan.
- (3) A zoning ordinance.
- (4) An ordinance affecting building permits or grading permits.

The applicant shall specify, in the written request, the types of proposed action for which notice is requested. Prior to taking any of those actions, the city or county shall give notice to any applicant who has requested notice of the type of action proposed and whose development project is pending before the city or county if the city or county determines that the proposal is reasonably related to the applicant's request for the development permit. Notice shall be given only for those types of actions which the applicant specifies in the request for notification.

The city or county may charge the applicant for a development permit, to whom notice is provided pursuant to this subdivision, a reasonable fee not to exceed the actual cost of providing that notice. If a fee is charged pursuant to this subdivision, the fee shall be collected as part of the application fee charged for the development permit.

(b) As an alternative to the notification procedure prescribed by subdivision (a), a city or county may inform the applicant at the time of filing an application for a development permit that he or she may subscribe to a periodically updated notice or set of notices from the city or county which lists pending proposals to adopt or amend any of the plans or ordinances specified in subdivision (a), together with the status of the proposal and the date of any hearings thereon which have been set.

Only those proposals which are general, as opposed to parcel-specific in nature, and which the city or county determines are reasonably related to requests for development permits, need be listed in the notice. No proposals shall be required to be listed until such time as the first public hearing thereon has been set. The notice shall be updated and mailed at least once every six weeks; except that a notice need not be updated and mailed until a change in its contents is required.

The city or county may charge the applicant for a development permit, to whom notice is provided pursuant to this subdivision, a reasonable fee not to exceed the actual cost of providing that notice, including the costs of updating the notice, for the length of time the applicant requests to be sent the notice or notices.

*(Added by Stats. 1983, Ch. 1263.)*

**65945.3.** At the time of filing an application for a development permit with a local agency, other than a city or county, the local agency shall inform the applicant that he or she may make a written request to receive notice of any proposal to adopt or amend a rule or regulation affecting the issuance of development permits.

Prior to adopting or amending any such rule or regulation, the local agency shall give notice to any applicant who has requested such notice and whose development project is pending before the agency if the local agency determines that the proposal is reasonably related to the applicant's request for the development permit.

The local agency may charge the applicant for a development permit, to whom notice is provided pursuant to this section, a reasonable fee not to exceed the actual cost of providing that notice. If a fee is charged pursuant to this section, the fee shall be collected as part of the application fee charged for the development permit.

*(Added by Stats. 1983, Ch. 1263.)*

**65945.5.** At the time of filing an application for a development permit with a state agency, the state agency shall inform the applicant that he or she may make a written request to receive notice of any proposal to adopt or amend a regulation affecting the issuance of development permits and which implements a statutory provision.

Prior to adopting or amending any such regulation, the state agency shall give notice to any applicant who has requested such notice and whose development project is pending before the state agency if the state agency determines that the proposal is reasonably related to the applicant's request for the development permit.

*(Added by Stats. 1983, Ch. 1263.)*

**65945.7.** No action, inaction, or recommendation regarding any ordinance, rule, or 65945.3, or 65945.5 by any legislative body, administrative body, or the officials of any state or local agency shall be held void or invalid or be set aside by any court on the ground of any error, irregularity, informality, neglect or omission (hereinafter called "error") as to any matter pertaining to notices, records, determinations, publications or any matters of procedure whatever, unless after an examination of the entire case, including evidence, the court shall be of the opinion that the error complained of was prejudicial, and that by reason of such error the party complaining or

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appealing sustained and suffered substantial injury, and that a different result would have been probable if such error had not occurred or existed. There shall be no presumption that error is prejudicial or that injury was done if error is shown.

*(Added by Stats. 1983, Ch. 1263.)*

**65946.** (a) The Office of Planning and Research shall develop a consolidated project information form to be used by applicants for development projects. This form shall provide for sufficient information to allow state agencies to determine whether or not the project will be subject to the requirement for a permit from the agency.

(b) Applicants for development projects may submit the form provided by subdivision (a) to the Office of Planning and Research for distribution to state agencies which have permit responsibilities for development projects. The Office of Planning and Research shall send copies of the form to such agencies within three days of receipt.

(c) Within 30 days of receipt of the form, each agency shall notify the Office of Planning and Research in writing whether or not a permit from that agency may be required and it shall send the Office of Planning and Research the appropriate permit application forms.

(d) Within 15 days of receipt of the completed form from such agencies, the Office of Planning and Research shall notify the applicant for a development project in writing of any permits required for the project specified, and it shall send the applicant the appropriate permit application forms received from the state agencies.

(e) The Office of Planning and Research may charge an applicant for a development project a fee not to exceed the estimated reasonable cost of providing the services performed pursuant to this section. Before levying or changing a fee, the Office of Planning and Research shall adopt or amend regulations pursuant to the Administrative Procedures Act, Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2. The Office of Planning and Research shall make available to the public upon request data indicating the amount of cost, or estimated cost, required to provide the service and the revenue sources anticipated to provide the service, including general or special fund revenues.

*(Added by Stats. 1983, Ch. 827.)*

#### **Article 5. Approval of Development Permits**

**65950.** Any public agency which is the lead agency for a development project for which an environmental impact report is prepared pursuant to Section 21100 or 21151 of the Public Resources Code shall approve or disapprove the project within one year from the date on which an application requesting approval of the project has been received and accepted as complete by that agency. If a negative declaration is adopted or if the project is exempt from Division 13 (commencing with Section 21000) of the Public Resources Code, the development project shall be approved or disapproved within six months from the date on which an application requesting approval of the project has been received and accepted as being complete by that agency, unless the project proponent requests an extension of the time limit. As specified in Sections 21100.2 and 21151.5 of the Public Resources Code, the period specified in those sections shall also begin on that date.

*(Amended by Stats. 1983, Operative January 1, 1990; Amended by Stats. 1989, Ch. 847.)*

**65950.1.** Notwithstanding Section 65950, if there has been an extension of time pursuant to Section 21100.2 or 21151.5 of the Public Resources Code to complete and certify the environmental impact report, the lead agency shall approve or disapprove the project within 90 days after certification of the environmental impact report.

*(Added by Stats. 1983, Ch. 1240.)*

**65951.** In the event that a combined environmental impact report-environmental impact statement is being prepared on a development project pursuant to Section 21083.6 of the Public Resources Code, a lead agency may waive the time limits established in Section 65950. In any event, such lead agency shall approve or disapprove such project within 60 days after the combined environmental impact report-environmental impact statement has been completed and adopted.

*(Added by Stats. 1977, Ch. 1200.)*

**65952.** (a) Any public agency which is a responsible agency for a development project that has been approved by the lead agency shall approve or disapprove the development project within whichever of the following periods of time is longer:

(1) Within 180 days from the date on which the lead agency has approved the project.

(2) Within 180 days of the date on which the completed application for the development project has been received and accepted as complete by that responsible agency.

(b) At the time a decision by a lead agency to disapprove a development project becomes final, applications for that project which are filed with responsible agencies shall be deemed withdrawn.

*(Added by Stats. 1977, Ch. 1200; Amended by Stats. 1988, Ch. 1187.)*

**65952.1.** (a) Except as otherwise provided in subdivision (b), where a development project consists of a subdivision pursuant to the Subdivision Map Act (Division 2 (commencing with Section 66410) of Title 7),

the time limits established by Sections 65950 and 65952 shall apply to the approval or disapproval of the tentative map, or the parcel map for which a tentative map is not required.

(b) The time limits specified in Sections 66452.1, 66452.2, and 66463 for tentative maps and parcel maps for which a tentative map is not required, shall continue to apply and are not extended by the time limits specified in subdivision (a).

*(Added by Stats. 1982, Ch. 87, Effective March 1, 1982; Amended by Stats. 1989, Ch. 847.)*

65953. All time limits specified in this article are maximum time limits for approving or disapproving development projects. All public agencies shall, if possible, approve or disapprove development projects in shorter periods of time.

*(Added by Stats. 1977, Ch. 1200.)*

65954. The time limits established by this article shall not apply in the event that federal statutes or regulations require time schedules which exceed such time limits.

*(Added by Stats. 1977, Ch. 1200.)*

65955. The time limits established by this article shall not apply to applications to appropriate water where such applications have been protested pursuant to Chapter 4 (commencing with Section 1330) of Part 2 of Division 2 of the Water Code, or to petitions for changes pursuant to Chapter 10 (commencing with Section 1700) of Part 2 of Division 2 of the Water Code.

*(Amended by Stats. 1978, Ch. 1113, Effective September 26, 1978.)*

65956. (a) If any provision of law requires the lead agency or responsible agency to provide public notice of the development project or to hold a public hearing, or both, on the development project and the agency has not provided the public notice or held the hearing, or both, at least 60 days prior to the expiration of the time limits established by Sections 65950 and 65952, the applicant or his or her representative may file an action pursuant to Section 1085 of the Code of Civil Procedure to compel the agency to provide the public notice or hold the hearing, or both, and the court shall give the proceedings preference over all other civil actions or proceedings, except older matters of the same character.

(b) In the event that a lead agency or a responsible agency fails to act to approve or to disapprove a development project within the time limits required by this article, the failure to act shall be deemed approval of the permit application for the development project. However, the permit shall be deemed approved only if the public notice required by law has occurred. If the applicant has provided seven days advance notice to the permitting agency of the intent to provide public notice, then no earlier than 60 days from the expiration of the time limits established by Sections 65950 and 65952, an applicant may provide the required public notice using the distribution information provided pursuant to Section 65941.5. If the applicant chooses to provide public notice, that notice shall include a description of the proposed development substantially similar to the descriptions which are commonly used in public notices by the permitting agency, the location of the proposed development, the permit application number, the name and address of the permitting agency, and a statement that the project shall be deemed approved if the permitting agency has not acted within 60 days. If the applicant has provided the public notice required by this section, the time limit for action by the permitting agency shall be extended to 60 days after the public notice is provided. If the applicant provides notice pursuant to this section, the permitting agency shall refund to the applicant any fees which were collected for providing notice and which were not used for that purpose.

(c) Failure of an applicant to submit complete or adequate information pursuant to Sections 65943 to 65946, inclusive, may constitute grounds for disapproving a development project.

(d) Nothing in this section shall diminish the permitting agency's legal responsibility to provide, where applicable, public notice and hearing before acting on a permit application.

*(Amended by Stats. 1982, Ch. 460; Stats. 1987, Ch. 985.)*

65957. The time limits established by Sections 65950, 65950.1, and 65952 may be extended once for a period not to exceed 90 days upon consent of the public agency and the applicant.

*(Amended by Stats. 1983, Ch. 1240.)*

65957.1. In the event that a development project requires more than one approval by a public agency, such agency may establish time limits (1) for submitting the information required in connection with each separate request for approval and (2) for acting upon each such request; provided, however, that the time period for acting on all such requests shall not, in aggregate, exceed those limits specified in Sections 65950 and 65952.

*(Added by Stats. 1978, Ch. 1113.)*

65958. Renumbered to 66009 by Stats. 1988, Ch. 968

65959. Renumbered to 66005 by Stats. 1988, Ch. 418.

## ATTACHMENT C: Rebuild Los Angeles Area Permit/Approval Matrix

**If you are intending to rebuild in same location  
your previously existing:**

**You will need to contact:**

**To obtain:**

Gas station  
Grocery store  
Dry cleaner  
Auto shop  
Warehouse  
Beauty Shop

*Department:*

*address:*

*phone:*

**If you are intending to rebuild in a different location  
in the same jurisdiction your previously existing:**

**You will need to contact:**

**To obtain:**

Gas station  
Grocery store  
Dry cleaner  
Auto shop  
Warehouse  
Beauty Shop

*Department:*

*address:*

*phone:*

**If you are intending to rebuild and expand  
in same location your previously existing:**

**You will need to contact:**

**To obtain:**

Gas station  
Grocery store  
Dry cleaner  
Auto shop  
Warehouse  
Beauty Shop

*Department:*

*address:*

*phone:*

**If you are intending to rebuild and expand in a  
different local jurisdiction your previously existing:**

**You will need to contact:**

**To obtain:**

Gas station  
Grocery store  
Dry cleaner  
Auto shop  
Warehouse  
Beauty Shop

*Department:*

*address:*

*phone:*



# ATTACHMENT D

## Placer County Program Implementation Plan and Matrix

### PLACER COUNTY LAND DEVELOPMENT PERMIT STREAMLINING PROGRAM IMPLEMENTATION PLAN REVISED JANUARY, 1990

ADOPTED POLICY	LEAD COUNTY ENTITY	ACTIONS	PRIORITY (A, B or C)	START DATE	ESTIMATED COMPLETION
1. Appoint the Land Development Coordinator (LDC) as the chair of the Environmental Review Committee (ERC).	CDD	a. Recent reorganization affecting Building, Planning, and the LDC Office have disaggregated the previous duties of the LDC and eliminated the position. The environmental process will now be coordinated by the new Community Development Department (CDD).	A	9-88	Complete
2. Involve all land development departments in design review.	Building Planning	a. Include Building in design reviews.	A	3-88	Complete
3. Develop design control standards for the county area west of Sutter.	Planning	a. Board to authorize consultant. b. Consultant to prepare draft. c. Permit Streamlining Committee (PSC) and others to review draft. d. Redraft and approval. e. Implementation	A A B B A	5-88 6-88 4-89 3-89 6-89	Complete Complete 1-90 Ongoing
4. Clarify appeal processes available to land development permit applicants.	Planning Public Works Gov. Counsel Env. Health	a. Review and clarify Land Development Manual where appeals are discussed. See PG26 below. b. Review and clarify Zoning Ordinance (CDD Code Chapter 10) where appeals are discussed. See PG26 below. c. Prepare an explanatory "appeal" booklet. d. Workshop with public counter to determine for better understanding appeal options.	B B C A A	3-89 PD 4-89 DPW 9/0/91 5-89 1989	Underway <sup>1</sup> Complete bid 9/0/91 12-89 Ongoing
5. Establish and re-name the Design Review Committee.	Planning	a. Plan to redesign the revised Committee (D/260) and change responsibility. b. Clarify references to procedures in Zoning Ordinance. See PG26 below.	A B	3-88 1989	Complete 1990
6. Establish thresholds for discretion used by staff in design review.	Planning	a. See PG 11 of vol.	B	1989	1990

1. Part of Zoning Ordinance and Environmental Guidelines update.

Attachment D:  
**Placer County  
Program  
Implementation**  
*continued*

ADOPTED POLICY	LEAD COUNTY ENTITY	ACTIONS	PRIORITY (A, B or C)	START DATE	ESTIMATED COMPLETION
24. Coordinate staff schedules and counter hours within the four land development departments.	CDP PSC	a. Coordinate "9-80", "4-10", and regular staff schedules. b. Coordinate noon coverage at the public counters. c. Investigate expansion of counter hours.	A A A	01/89 1-89 2-89	?? Complete Complete
25. Encourage use of Permit Information Aides to improve and coordinate public counter service.	CDP Personnel	a. Minimize use of clerical personnel at public counters. b. Consider new Permit Information Aide positions in Environmental Health and Public Works.	B B	8-88 1989	Complete Complete
26. Provide office backup for land development personnel.	CDP Env. Health Public Works	a. Develop department specific written procedures for ensuring that specific duties and active projects have backup during off-days, sick days, and vacations. b. Include these procedures in the training manual. See #21 above.	A B	1-89 1-89	Complete 6-89
27. Develop land development training manuals.	CDP	a. See #21 above.	B	4-88	Complete
28. Utilize the LDC as a focal point for coordinating communication between the departments on individual applications as necessary.	CDP Env. Health Public Works	a. Recent reorganization of Building, Planning and the PSC office have demonstrated the previous duties of the re-organized the post-thing. The application process will now be coordinated by the new Community Development Department.	A	9-88	Ongoing
29. Conduct regular monthly land development staff meetings in each department/division.	CDP Env. Health Public Works	a. See #20 above.	A	1-88	Ongoing
30. Define staff involvement and responsibilities in permit processing as early and clearly as possible.	CDP Env. Health Public Works	a. This is a management responsibility that should be a part of daily instruction and regular staff meetings. See #20 above. b. Develop a staff directory for use by the public and staff. See #21 above.	A A	Ongoing 6-88	Ongoing Complete
31. Focus on continued use of the Counter Coordination Committee (CCC) to improve inter-departmental staff communications.	CDP Env. Health	a. Update from department and representative at department staff meetings.	A	8-88	Ongoing

Attachment D:  
**Placer County  
Program  
Implementation**  
*continued*

ADOPTED POLICY	LEAD COUNTY ENTITY	ACTIONS	PRIORITY (A, B or C)	START DATE	ESTIMATED COMPLETION
32. Sponsor a professional development seminar(s) for land development staff and management focusing on ethics, attitude and approach.	CDU Personnel	a. Prepare and distribute an RFP for professional services. b. Review and qualify consultants. c. Schedule consultant before PSC. d. Implement professional development seminars with staff.	B	1989	1990
33. Improve written communications at all stages of the land development process.	CDU Env. Health Public Works	a. Develop easy-to-use action forms for recording phone calls, documenting meetings, etc. b. Utilize standard formats, paragraphs, letters, etc.	B	1989	1990
34. Document oral communication involving specific projects and applications.	CDU Env. Health Public Works	a. See #33 above.	B	1989	1990
35. Publish a quarterly land development oriented newsletter for staff and the public.	CDU	a. Form a newsletter committee. b. Develop format and process for gathering articles and information. c. Contact out to provide for preparation, typewriting, and publication.	B B B	1-90 1-90 3-90	Ongoing 3-90 3-90
36. Implement a Master Calendar System to track development permit applications through the review and approval process.	CDU Env. Health Public Works	a. Evaluate and streamline ASP for development consultants. b. Review and qualify consultants for RFP. c. Draft and authorize new ordinance. d. Consult with the project director. e. Review of draft. f. Implementation.	B B B B B B	1989 1989 1989 1989 1990 1990	1990 1990 1990 1990 1990 1990
37. Evaluate use of a unique common number (and name) for tracking all development proposals through the County land development department from application through final inspection.	CDU Env. Health Public Works	a. Evaluate use of a unique common number (and name) for tracking all development proposals through the County land development department from application through final inspection.	B	1989	1990

# ATTACHMENT E

## Sonoma County Permit Streamlining Matrix

Matrix depicting agency interfacing activities

AGENCIES	AGENCIES																						
	Bay Area Air Quality Mgmt Dist	Business Licenses (City)	CAL-OSHA	CAL/EPA	City/County Building Dept	City/County Planning	City/County Public Works	City Fire Dept	County Clerk	Employment Development Dept	Fire District (County)	Hazardous Materials Mgmt Prog	Labor Commission	North Coast Regional Water Board	North S.C. Air Pollution Mgmt Dist	Open Space District Executive	S.C. Agricultural Commissioner	S.C. Health Dept	S.C. Social Services	S.C. Transportation Authority	S.C. Water Agency	San Francisco Regional Water Board	Solid Waste
Bay Area Air Quality Mgmt Dist																							
Business Licenses (City)																							
CAL-OSHA																							
CAL/EPA																							
City/County Building Dept																							
City/County Planning																							
City/County Public Works																							
City Fire Dept																							
County Clerk																							
Employment Development Dept																							
Fire District (County)																							
Hazardous Materials Mgmt Prog																							
Labor Commission																							
North Coast Regional Water Quality Control Board																							
North S.C. Air Pollution Mgmt Dist																							
Open Space District Executive																							
S.C. Agricultural Commissioner																							
S.C. Health Dept																							
S.C. Social Services																							
S.C. Transportation Authority																							
S.C. Water Agency																							
San Francisco Regional Water Quality Control Board																							
Integrated Waste Mgmt Board																							
State Board of Equalization																							
State Fish & Game																							
State Franchise Tax Board																							
Toxic Substance Control Div																							

1. Food & Agriculture Dept. 2. Calif. Integrated Waste Management Board. 3. MTC/Caltrans

Note: This matrix is based on information reported by agency and business representatives to the Business Environment Roundtable. This is an illustrative graphic and no effort has been made to verify the accuracy of the data. This data should not be used for business decisions.

Matrix depicting regulatory areas in which agencies report they are involved

Attachment E:

**Sonoma  
County Permit  
Matrix**  
continued

AGENCIES	AREA						
	Air	Construction & Development	Employee Safety & Health	Hazardous Materials & Waste	Licensing & Taxes	Solid Waste	Water
Bay Area Air Quality Mgmt Dist	●			●		●	
Business Licences (City)	●	●		●	●	●	●
CAL-OSHA		●	●	●			
CAL/EPA	●			●			●
City/County Building Dept		●	●				
City/County Planning		●					
City/County Public Works		●					
City Fire Dept	●	●	●	●		●	●
County Clerk					●		
Employment Development Dept							
County Fire District		●					
Hazardous Materials Mgmt Prog			●	●			
Labor Commission							
North Coast Regional Water Quality Control Board	●	●	●	●	●	●	●
North S.C. Air Pollution Mgmt Dist	●			●			
Open Space District Executive		●					
S.C. Agricultural Commissioner	●	●	●	●	●	●	●
S.C. Health Dept		●	●	●		●	●
S.C. Social Services							
S.C. Transportation Authority	●						
S.C. Water Agency		●					●
San Francisco Regional Water Quality Control Board				●		●	●
Integrated Waste Mgmt Board						●	
State Board of Equalization				●			
State Fish & Game		●					●
State Franchise Tax Board					●		
Toxic Substance Control Dist				●			

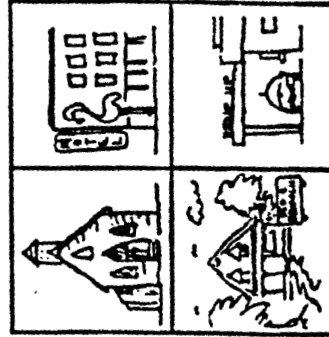
Note: The matrix above is based on information reported by agency and business representatives to the Business Regulatory Roundtable. This is an illustrative graphic and no effort has been made to audit this information. This data should not be used for business decisions.

## ATTACHMENT F

### City of San Jose Brochures

City of San Jose  
DEPARTMENT OF CITY PLANNING

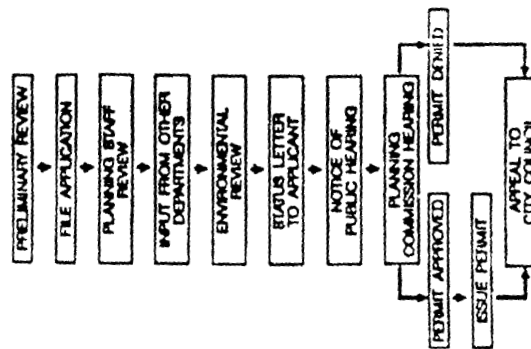
#### What Is... THE CONDITIONAL USE PERMIT PROCESS



Department of City Planning  
City Hall Annex, Room 400  
801 North First Street  
San Jose, CA 95110-1795

For more information  
call (408) 277-4576

#### WHAT IS THE PROCESS?



#### HOW LONG DOES IT TAKE?

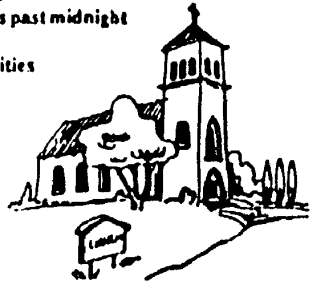
In most cases, the process takes about three to six months. You can help expedite the review process by making sure your application is correctly filled out and your proposal is clearly stated. The Department of City Planning will be happy to answer your questions regarding any application requirement.

## WHAT IS A CONDITIONAL USE PERMIT?

There are certain uses of land, or types of business, that have an impact on their community. The City Council strictly controls such uses through the Conditional Use Permit process. Conditional Use Permits are approved by the Planning Commission and may be appealed to the City Council.

Conditional uses are only allowed with the approval of a Conditional Use Permit. Examples of such uses are listed below.

Emergency shelters  
Commercial service clusters  
Drive-up businesses  
Wrecking yards  
Board & care homes  
Nightclubs  
Operations past midnight  
Churches  
Public utilities



### DO I NEED ONE?

All of the items above require a Conditional Use Permit. There are other instances when one is required, as well. Please contact the Department of City Planning to find out if your project requires such a permit.

## WHO APPROVES CONDITIONAL USE PERMITS?

The Department of City Planning staff makes a recommendation which it forwards to the Planning Commission. The Planning Commission makes the decision and can approve, conditionally approve, or deny the permit. The Planning Commission usually meets every other Wednesday. Conditional Use Permit applications are heard on these days, between the hours of 3:00 and 5:00 p.m. The Commission listens to the concerns of the applicant and neighboring citizens, discusses the issues, and votes on the proposal.

The Planning Commission's decision may be appealed directly to the City Council. It presides over another public hearing, at which more public input is provided. The decision of the City Council is final.

## WHAT FACTORS IS THEIR DECISION BASED ON?

There are numerous factors which are considered by themselves, and as a whole. The proposed use must meet the zoning and General Plan requirements for the site. It must maintain the health and safety of the community, and should be compatible with the existing uses in the area. The site must also be able to accommodate the proposed facility.

Other items considered are listed below.

Parking  
Building size  
Building placement  
Access to streets and utilities  
Hours of operation  
Noise level  
Landscaping  
Traffic generation  
Expiration date of the permit

## WHAT IS ENVIRONMENTAL REVIEW?

Besides addressing the factors previously listed, State law requires analysis of each project's potential environmental effects. This is accomplished through the environmental review process. A separate application for environmental review, is therefore, required. For more information on this process, please contact our environmental staff, at 277-4576.



## WHAT DO I NEED TO FILE?

The items to be included are described in detail on the application form. They are summarized below.

Completed Application  
Property owner's signature  
Environmental review application  
Filing fees  
Names of property owners within 300 feet  
Addressed envelopes for those property owners  
Legal description of the property  
County Assessor's map  
Development plans consisting of:  
- site plans  
- elevation plans  
- landscaping plans  
- floor plans

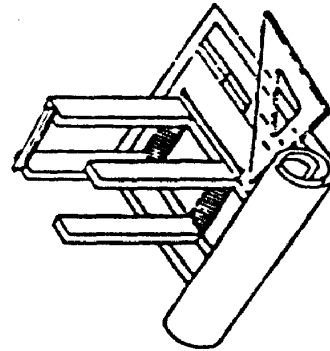
The Department of City Planning encourages preliminary review of all Conditional Use Permit applications. This review of your plans by Department staff, is a time-saving process intended to reduce any subsequent revisions of your plans. Please see the *Preliminary Review* brochure for more information on this subject. When you are ready for a preliminary review, please call 277-4576 or drop off your plans at the front counter.

Attachment F:  
City of San Jose  
Brochures  
continued

City of San Jose  
DEPARTMENT OF CITY PLANNING

What Is...

# THE SITE DEVELOPMENT PERMIT PROCESS

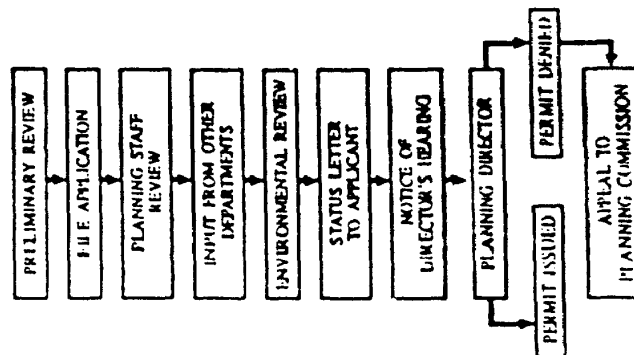


Department of City Planning  
City Hall Annex, Room 400  
801 N. First Street  
San Jose, California 95110-1795

For more information  
call (408) 277-4576

## WHAT IS THE PROCESS?

The Site Development Permit process is summarized below.



If you have any additional questions, please call us at 277-4576.

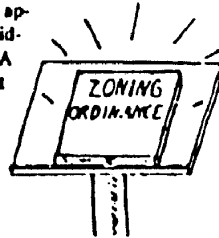
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## WHAT IS A SITE DEVELOPMENT PERMIT?

A Site Development Permit is a land development permit. Its purpose is to uphold the integrity of the community by ensuring that each project meets San Jose's high standards for architecture, site design, and landscaping. These standards are described in the City's *Zoning Ordinance* and summarized in the Department of City Planning's "design guidelines". There are separate guidelines for industrial, commercial, and residential development.

San Jose's General Plan serves as the guide for the City's future development. The *Zoning Ordinance* implements the broad policies of the City's General Plan by applying these goals to individual development projects. A Site Development Permit certifies that a project meets San Jose's development standards and allows an applicant to develop their property accordingly.



### WHEN DO I NEED ONE?

A Site Development Permit is required to construct, enlarge, or install, a building or structure. Any exterior alteration, pavement of a lot, or underground installation, requires such a permit. Minor alterations to a detached single family home usually do not require issuance of a Site Development Permit. You can find out if your project requires a development permit by calling the Planning Department at 277-4576.

## WHAT ARE SOME TYPICAL PROJECT REVIEW ISSUES?

The primary objective is to ensure that the proposed project is functionally and architecturally compatible with adjacent structures. Some specific examples are listed below.

Site Design: yard size, garages, parking, circulation, driveways, building setbacks, and landscaping  
Building Design: architecture, materials, building height, bulk, and size  
Public Improvements: public sidewalks, curbs, gutters, and sewers

In addition to these items, State law requires analysis of each project's potential environmental effects. A separate application for environmental review, is therefore, required. Please see our "Environmental Review Process" brochure for more information on this subject.

### HOW DO I GET A SITE PERMIT?

Applications are available at the Department of City Planning. Items to be included are summarized below.

Property owners signature  
Environmental review application  
Filing Fees  
Names of property owners within 200 feet  
Addressed envelopes for those property owners  
Legal description of the property  
County Assessor's Map  
Development plans (this includes)  
    -site plans  
    elevation plans  
    landscaping plans  
    floor plans

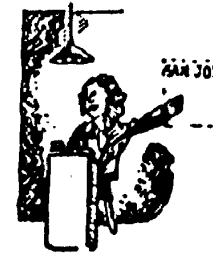
Before you file your application, you should submit your project for preliminary review.

## WHAT IS PRELIMINARY REVIEW?

A preliminary review is an assessment of your project concept by the Department of City Planning staff. It is a time saving process that reduces the time required to revise your plans to meet City standards. Please see the "Preliminary Review" brochure for more information on this subject.

## WHO APPROVES SITE DEVELOPMENT PERMITS?

The Director of City Planning makes the decision to approve, conditionally approve, or deny the Permit. This is done at the "Director's Hearing". This public hearing gives the applicant and neighboring citizens an opportunity to voice their opinion. Director's Hearings are usually held every other Wednesday at 10:00 a.m. The decision of the Director may be appealed to the Planning Commission. The decision of the Commission is final.



### HOW LONG DOES IT TAKE?

On average, it takes about 90 days to process the Permit. Much of that time is needed to notify the public of the hearing. You can expedite the review process by making sure your application is correctly and thoroughly completed. As mentioned, preliminary review can speed-up the process.

Submitting professionally drawn site plans can significantly reduce the time required to revise the plans to meet City Standards. Enlisting the services of an experienced professional can also increase your probability of approval by ensuring that your project is done correctly.

Attachment F:  
City of San Jose  
Brochures  
continued

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## **ATTACHMENT G**

### **Checklist for Evaluation of the Appropriateness of Collaborative Processes**

If the answer to most of the following questions is yes, there is a good chance that the dispute can be resolved effectively using collaborative dispute resolution processes as opposed to litigation.

- Can the issues in dispute be easily defined?
- Is the dispute over issues other than constitutional rights?
- Are there enough diverse issues to provide opportunities for negotiated trade-offs?
- Are the parties readily identifiable?
- Does each party have a legitimate spokesperson?
- Is there a relative balance of power between the parties, i.e., no party is in a position to dictate the result?
- Is there a likelihood of a continuing relationship between parties?
- Is there a realistic deadline?

The following considerations indicate when a collaborative approach is feasible:

- Each side's position has merit.
- The parties wish to control the dispute resolution process and determine the outcome of the conflict.
- A quick resolution of the conflict is needed and other alternatives would be too costly and time consuming.
- The law regarding the matter is well settled and there is no need to establish a legal precedent.
- Each side is willing to cooperate and there are incentives for settlement.

Excerpted from the Oregon Department of Land Conservation and Development, *A Checklist from Dispute Resolution: A Handbook for Land Use Planners and Resource Managers*, (Salem, 1990)

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## ATTACHMENT H

### Model Development Permit Streamline Ordinance

Chapter \_\_\_\_\_

Section \_\_\_\_\_: Purpose. The purpose and intent of this Chapter is to implement the Permit Streamlining Act (Chapter 4.5 commencing with Section 65920 of Division 1 of Title 7 of the California Government Code).

Section \_\_\_\_\_: Definitions. Whenever the following words are used in this ordinance, they shall have the meaning given them in this section, unless otherwise defined.

**A. Administrative Appeal**

“Administrative appeal” means review, as provided by law, rule, regulation, or ordinance, of an approval or denial of an application for a development project either by a body within the [City/County] or by an agency at another level of government.

**B. Applicant**

“Applicant” means a person or his authorized representative who requests in writing the approval of a lease, permit, license, certificate, or other entitlement for use from one or more public agencies which may be required for a development project proposed by that person.

**C. Application**

“Application” means the form and information submitted by an applicant where such form and information is to be used to determine whether to approve or deny permits or other entitlement for use.

An application may also serve as the factual basis from which an Initial Study is conducted to determine potential significant environmental impacts.

**D. Approval**

“Approval” means the issuing or commitment to issue by a public agency of a lease, permit, license, certificate, or other entitlement for use for a development project for which an application was accepted as complete. “Approval” includes all actions required by all public agency departments and organizational units which must act upon the permit in order for it to be validly issued, but does not include administrative appeals.

**E. CEQA - California Environmental Quality Act**

“California Environmental Quality Act (CEQA)” means California Public Resources Code Sections 21000, et seq.

**F. Joint Environmental Document**

“Joint Environmental Document” means an environmental document prepared cooperatively by the State lead agency under the California Environmental Quality Act (CEQA) and the Federal lead agency under the National Environmental Policy Act (NEPA) to comply with both the California Environmental Quality Act and the National Environmental Policy Act.

**G. Development**

“Development” means the:

Placement or erection of any solid material or structure on land, in water, or under water.

Discharge or disposal of solid, liquid, gaseous or thermal waste or any dredged material;

Grading, removing, dredging, mining, or extraction of any materials;

*Attachment H:*  
**Model Permit  
Streamlining  
Ordinance**  
*continued*

Change in density or intensity of use of land including subdivisions pursuant to Subdivision Map Act commencing with Section 66410 of the Government Code or other division of land, except land divisions produced by public agency acquisition of land for public recreation uses, and except the approval or disapproval of final subdivision maps;

Change in intensity of use of water or altered access to water;

Construction, reconstruction, demolition, or alteration of any structure;

Removal or harvesting of major vegetation, except for agricultural operations, kelp harvesting, or timber operations which comply with an approved timber harvest plan submitted pursuant to the Z'berg-Nejedly Forest Practices Act of 1973 (Chapter 8, commencing with Section 4511, of Part 2, Division 4 of the California Public Resources Code).

As used in this section, "structure" includes, but is not limited to, any building, road pipe, flume, conduit, siphon, aqueduct, telephone line, and electrical power transmission and distribution line.

"Development" does not mean a "change of organization," as defined in Section 56028, a "change of organization of a city," as defined in Section 35027, a "reorganization," as defined in Section 56068, or a "municipal reorganization," as defined in Section 35042 of the Government Code.

**H. Development Project**

"Development project" means any project undertaken for the purpose of development. "Development project" includes a project involving the issuance of a discretionary permit for construction or reconstruction. "Development project" does not include: (1) the issuance of a permit to operate after approval of construction or reconstruction, (2) any ministerial projects proposed to be carried out or approved by public agencies.

**I. Environmental Documents**

"Environmental documents" means Initial Studies, Notices of Preparation, Negative Declarations, Draft and Final Environmental Impact Reports (EIRs), Notices of Completion and Notices of Determination as defined in the State EIR Guidelines contained in Chapter 3, Division 6, of Title 14 of the California Administrative Code.

**J. Lead Agency**

"Lead agency" means the public agency which has the principal responsibilities for carrying out or approving a project. "Lead agency" means the same lead agency as determined pursuant to the California Environmental Quality Act.

**K. Local Agency**

"Local agency" means any public agency other than a State or Federal agency, board, or commission. Local agency includes but is not limited to cities, counties, charter cities, a city and county, districts, school districts, special districts, redevelopment agencies, and any board, commission, or organizational subdivisions of such local agencies. Such boards, commission or organizational subdivisions of a local agency are normally considered part of one local agency and are not separate local agencies.

**L. Permit Streamlining Act**

"Permit Streamlining Act" means Chapter 4.5 of Division 1 of Title 7 of the Government Code commencing with Section 65920 (Added by Chapter 1200).

**M. Project**

"Project" means an activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies. "Project" includes but is not limited to activities requiring the following entitlements for use:

1. A tentative map or parcel map under the Subdivision Map Act (Government Code Sections 66410, et seq.);
2. A use permit or conditional use permit;
3. A variance;
4. Review under a discretionary ordinance, such as a design review ordinance;
5. (Optional:) Other applicable discretionary approvals.

**Attachment H:**  
**Model Permit**  
**Streamlining**  
**Ordinance**  
*continued*

"Project" does not include the following activities of a public agency:

1. Issuing a contract, grant, subsidy, loan, or other form of financial assistance;
2. Taking a legislative or quasi-legislative action, such as issuing rules or regulations;
3. Proposing development to be carried out by that public agency;
4. Adopting or amending a local agency's general plan pursuant to Government Code Sections 65350, et seq.
5. Adopting or amending specific plans pursuant to Government Code Sections 6550, et seq.
6. Renewing, extending, or assigning an entitlement for use, provided that no new development is proposed either by the applicant, or by the agency as a condition of approval;
7. Approving or denying activities those ministerial permits as defined pursuant to the California Environmental Quality Act which can include but are not limited to, building permits, final subdivision maps, occupancy permits, permits to operate, and inspection permits;

#### **N. Responsible Agency**

"Responsible agency" means a public agency, other than the lead agency, which has responsibility for carrying out or approving a project. It includes all public agencies other than the lead agency from which a lease, permit, license, certificate, or other entitlement for use is required for the development project.

#### **O. Shall/Should/May**

"Shall" is mandatory, "should" is advisory, and "may" is permissive.

#### **P. State Agency**

"State agency" means any agency, board or commission of State Government. For all purposes of this ordinance the term "State agency" shall include an air pollution control district.

Section \_\_\_\_: Applicability. This ordinance applies to all applications appertaining to development projects in the [city/county]. [Optional: list of specific permits provided in other local ordinances of the jurisdiction.]

Section \_\_\_\_: Exempted Activities

This ordinance does not apply to the following actions:

1. Administrative appeals with a local agency or to a state agency.
2. Approval or disapproval of a final subdivision map pursuant to the Subdivision Map Act commencing with Section 66410 of the Government Code. However, approval or disapproval of a final subdivision map is still subject to Government Code Section 66458, which generally requires the local legislative body to act on a final map within 10 days of the filing of the map or at its next regularly scheduled meeting, unless an extension is authorized. In addition, the approval or disapproval of a final subdivision map shall occur within one year from the date on which the final map is filed for approval (as required by Government Code Section 65922 (c)), and this deadline is not extendible.
3. Change in organization or reorganization of a municipality;
4. A claim of exemption from the permit jurisdiction of the California Coastal Commission filed pursuant to Public Resources Code Section 30608.
5. Legislative acts of the [City Council or Board of Supervisors].

Attachment H:  
**Model Permit  
Streamlining  
Ordinance**  
*continued*

Section \_\_\_\_\_: Permit Coordination

The [Optional: person or agency to be designated by the [City/County]] shall be responsible for the coordination of all applications and permits for the development of residential, commercial and industrial projects in the [City/County]. The [Optional: designated person or agency] shall provide the information specified in Section [immediately below] \_\_\_\_\_ of [this Chapter] and shall provide information on the status of applications under review.

[Optional: The [City/County] shall charge fees to defray the costs which are directly attributable to the coordination of a permit application by the [Optional: designated person or agency].]

Section \_\_\_\_\_: Information Responsibilities of the [City/County] for the Processing of Development Permit Applications.

- A. The [City/County] shall provide, upon request by an applicant [Optional: or any person] accompanied by a project description, a complete list of all permits required by ordinance or other law of the [City/County] which must be obtained for the project thus described.
- B. The [Optional: Planning Director, Secretary of the Planning Commission, or other appropriate official] shall provide upon request by an applicant [Optional: or any person] a list of required information, or in lieu thereof, an application form which properly filled in will constitute a completed application.

Section \_\_\_\_\_: Determination of Completeness

The [Optional: appropriate official] shall determine within 30 calendar days of receipt of an application whether the application is complete. Such determination shall be in writing and shall be immediately transmitted to the applicant.

Section \_\_\_\_\_: Incomplete Application

- A. Not later than 30 calendar days from the receipt by the [City/County] of the materials specified in Subsection A above, the [Optional: appropriate official] shall determine in writing whether such materials together with the initial submittal of the application constitute a completed application and shall forthwith transmit the written determination to the applicant.
- B. In the event that an application is determined incomplete the [Optional: appropriate official] shall include in the written determination thereof those parts of the application which are incomplete and shall indicate the manner in which they can be made complete, including a list and thorough description of the specific information needed to complete the application.
- C. In the event that the [Optional: appropriate official] determines that the materials submitted pursuant to Subsection B above do not constitute a completed application, and provided that the [Optional: appropriate official] has so determined within the period provided in Subsection B, the applicant may appeal the determination to the [Optional: planning commission or other designated panel or the governing body] of the [City/County]. (Reference: Government Code Section 65943(c))

Any appeal filed under this section must be filed within [Optional: 15 days] of the determination made pursuant to Subsection B.

Section \_\_\_\_\_: Additional Subsequent Information

- A. After the [City/County] accepts an application as complete, the agency shall not subsequently request of an applicant any new or additional information which was not required as part of the application originally determined to be complete. However, the [City/County] may, in the course of processing the application, request the applicant to clarify, amplify, correct, or otherwise supplement the information required for the original complete application. Making a request for

supplement: information does not waive, extend, or delay the time limits prescribed herein for a decision on the completed application.

- B. This Section shall not be construed as requiring an applicant to submit with the initial application all of the information which shall be required in order to take final action on such application. Prior to accepting an application the [City/County] shall inform the applicant in writing of any information which will subsequently be required from the applicant in order to complete final action on such application. The [City/County] shall not require an applicant to submit the information equivalent to an Environmental Impact Report as a part of the completed application, provided, however, the application shall contain enough information for the lead agency to prepare an Initial Study under CEQA.  
(Ref: Government Code Section 65941)
- C. This Section shall not be construed as limiting the ability of the [City/County] to request and obtain information which may be needed in order to comply with the provisions of CEQA.

Section \_\_\_\_: Effect of Inaction on a Submitted Application

In the event that the determinations provided in Section [two above] A are not made within 30 calendar days, the application shall be deemed complete as submitted and the time limits for acting upon the permit as provided in [this Chapter] commence to run.

Section \_\_\_\_: Time Limit for Acting Upon Project

The [City/County] shall approve or disapprove a development project for which an Environmental Impact Report is required and for which the [City/County] is the lead agency within one year from the date on which the application requesting approval of the project has been accepted or as deemed complete.

If a Negative Declaration is prepared or if the project is exempt from the California Environmental Quality Act, the development project shall be approved or disapproved within six months from the date on which the application requesting approval of the project has been accepted as or deemed complete, unless the applicant requests that the application be acted upon at a later time.

Where a state or local agency other than the [City/County] has prepared an environmental document pursuant to the California Environmental Quality Act and where the [City/County] will be a responsible agency, the [City/County] shall approve or disapprove an application for a development project within either six months from the date on which the lead agency has approved or disapproved the project or six months from the date on which the [City or County] accepted the application as complete, whichever is longer.

The time limits specified in this section are maximum. The [City/County] shall, if possible, approve or deny a project in less than the time limits herein.

Section \_\_\_\_: Effect of Failure to Act within One Year Time Limits

In the event that the [City/County] fails to act upon the application within the time limits provided in [this Chapter], the such failure to act shall be deemed approval of the development provided that such approval will not endanger the public health, safety or welfare nor would violate any applicable statute of the State of California.

Any application deemed approved under this section shall be automatically revoked [Optional: one] year[s] from the date of approval unless the applicant has commenced construction of the project as approved.

Section: \_\_\_\_ Time Limit Exceptions

- A. *Exemptions:* The time limits in [this Chapter] do not apply:

Attachment H:  
**Model Permit  
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Ordinance**  
*continued*

1. where a joint environmental document will be prepared in conjunction with the action on the application, or
  2. where federal statute or regulations applicable to the project under application require time schedules which exceed the limits provided herein. (Ref. Government Code Section 65954)
- B. *Extensions:*
1. If the time period for the preparation of an Environmental Impact Report has been extended pursuant to [Optional: use appropriate City/County ordinance or Public Resources Code 21151.5] the time limits in Section [two above] of this [Chapter] shall be extended by a period not to exceed 90 calendar days measured from the date upon which the Environmental Impact Report was certified.
  2. The time limits established by Section [two above] and Paragraph B1 of this section may be extended once for a period not to exceed 90 days upon [Optional: written] consent of the [City/County] and the applicant.  
(Ref: Government Code Sections 65950.1 and 65957)
- C. *Suspension:* The time limits specified in [this Chapter] shall be suspended during the term of an administrative appeal.
- D. *Moratoriums:* A moratorium on approving development projects that is adopted by a [City/County] does not automatically waive or extend the time limits specified by this Chapter. Instead, a moratorium may provide the basis for the [City/County] to refuse in writing to accept an application or to deny without prejudice a development project application within the same time limits specified in Section [three above] of this [Chapter].

Section \_\_\_\_\_ : Administrative Denial

The [designated official] may deny approval of an application with or without prejudice prior to the expiration of the time limit provided in Section \_\_\_\_\_ on any of the following grounds:

1. Willful failure or refusal by an applicant to provide information reasonably necessary for the preparation of a legally adequate environmental document;
2. Willful failure or refusal by an applicant to provide information reasonably necessary to provide substantial evidence as a basis for disapproval of a project;
3. Circumstances or situations resulting from acts other than those of the applicant or the [City/County] which make it impossible or impractical to act upon the application within the time limits.

Section \_\_\_\_\_ : Multiple Approval

- A. In the event that a development project requires more than one approval by the [City/County] time limits may be established for submitting the information required in connection with each separate request for approval and for acting upon each such request. The time period for acting on all such requests shall not, in the aggregate, exceed those limits specified in [this chapter].
- B. The [City/County] may require the applicant to either submit a series of permit applications according to an established schedule, or may require the applicant to file all applications simultaneously using a combined single unified application form.
- C. The [City/County] may also allow an applicant to apply for each request for approval individually without adhering to a schedule, in which case each application will be processed and decided separately according to the time limits specified in [this chapter].  
(Ref: Government Code Section 65957.1)



# AN ASSEMBLY REPUBLICAN BUDGET REFORM PROPOSAL

A Working Document prepared by

*THE ASSEMBLY REPUBLICAN BUDGET WORKING GROUP*

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## **Assembly Republican Budget Reform Proposal**

The State of California has for the last four years faced serious budget shortfalls. These unprecedented budget gaps were created, in part, by demographic and economic trends.

But a more significant contributing factor to California's chronic budget crisis is a budget process that has been on autopilot. The state has not established spending priorities, and has attempted to be all things to all people.

California job loss during the past three years has been unprecedented. Total job losses since June 1990 have been over 900,000. Current forecasts suggest the state will suffer a further decline in jobs in 1994. California jobs declined in every employment sector with the largest loss coming in high paying defense industry manufacturing jobs.

Confronted with a recession torn economy, past budget balancing efforts relied primarily on increasing taxes and shifting costs to the local levels. While these efforts provided some relief, they did nothing to address the underlying problems (i.e. programs were growing faster than revenues). In the past, most attempts at structural changes, have been only temporary.

While the average California family tightened their belt against the recession, California's state government grew. While much of this growth was the result of caseload demand, few efforts were made to streamline government services.

It is time for a realistic assessment of the state government's ability to be all things to all people. Instead of cutting some of California's successful programs, we should evaluate each program according to its merit and eliminate those programs which are duplicative, ineffective or unnecessary. At the same time, we should create efficiencies in those programs which are valuable, but bloated, and seek to provide better service at a lower cost.

Accordingly, the Assembly Republican Budget Working Group has established the following principles to begin the process of streamlining government expenditures. In its simplest form, this document attempts to prioritize government spending by identifying programs which should be eliminated or improved. At its basic core is the principle that government should provide a safety net and not a way of life, that necessary services should be provided in the most cost-effective manner possible and that a limited government is the best government.

## **PRINCIPLES FOR BUDGET REFORM**

### **An Assembly Republican Budget Working Group Plan**

**Total Savings: \$4,878,390,000**

- I. Eliminate bureaucratic waste.  
Estimated Savings: \$ 141.124 Million**
- II. Contain health and welfare costs.  
Estimated Savings: \$ 1,852.4 Million**
- III. Reform government operations.  
Estimated Savings: \$ 2,184.761 Million**
- IV. Allow competitive contracting for greater  
efficiency.  
Estimated Savings: \$ 486.865 Million**
- V. Implement a state employee cost containment  
program.  
Estimated Savings: \$ 207 Million**
- VI. Freeze state spending and repeal statutory  
COLA's.**
- VII. Implement revenue triggered budget reductions.**

**I. Eliminate Bureaucratic Waste**  
**Estimated Savings: \$141.124 Million**

When California's families are short on money they are forced to set spending priorities. The state of California is in just that situation, its financial resources are severely limited. Clearly then, it cannot afford to do everything it wants to do or has done in the past. We are now forced as a state to ask ourselves some long overdue questions - what are our priorities and what are the state government's responsibilities?

In response, the Assembly Republican Budget Working Group has identified some \$141.124 million worth of departments and programs which do not provide necessary services to the people of California. These are entities which are either not necessary or provide services which are being performed by other agencies. At a time when necessary programs are threatened with budget cuts, we believe that these nonessential areas of state government should be the first to be cut.

**I. ELIMINATE BUREAUCRATIC WASTE**  
**Savings: \$ 141.124 million**

**1.) Merge the Board Of Equalization and Franchise Tax Board**

Source: Governor's 1993-94 Budget proposal  
Item: 0860  
Savings: \$38 million

**2.) Eliminate State Lands Commission and Consolidate Functions**

Source: Republican Budget Options 1991  
Item: 3560  
Savings: \$ 9.457 million

The functions of this commission could be consolidated into other established departments and agencies as follows: Mineral Resource Management to Dept. of Conservation, Land Management by the Dept. of General Services, and Marine Facilities Management by the Dept. of Fish and Game.

**3.) Eliminate Commission for Economic Development**

Source: Assembly Republican Budget Working Group  
Item: 8200  
Savings: \$0.454 Million

This commission is completely duplicative of private sector organizations.

**4.) Eliminate General Fund Contribution to Agricultural Marketing Services Program under the Department of Food and Agriculture**

Source: Assembly Republican Budget Working Group  
Item: 8570-30  
Savings: \$1.560 Million

The bulk of this program is funded by private industry and will continue to function under industry support.

**5.) Eliminate Commission on the Status of Women**

Source: Assembly Republican Budget Working Group  
Item: 8820  
Savings: \$ 0.402 Million

This commission duplicates the activities of many

private advocacy organizations.

6.) Eliminate Agricultural Labor Relations Board and Merge Duties with Public Employees Relations Board

Source: Assembly Republican Budget Working Group  
Item: 8300  
Savings: \$4.057 Million

The role of the ALRB is essentially duplicated by the PERB.

7.) Eliminate Native American Heritage Commission

Source: Assembly Republican Budget Working Group  
Item: 8280  
Savings: \$0.240 Million

This commission duplicates the services offered by many private organizations. Control language is needed to move authority to Caltrans to address discovery of Indian artifacts.

8.) Eliminate Dept. of Fair Employment and Housing and Assign Responsibilities to HCD and DIR.

Source: Assembly Republican Budget Working Group  
Item: 1700  
Savings: \$11.674 Million

This Department's mandates are duplicative of, and can easily be absorbed by, HCD and DIR or PERB. This suggestion will not alter current law protecting individual's against discrimination.

9.) Eliminate Office of the State Fire Marshal

Source: Assembly Republican Budget Working Group  
Item: 1710  
Savings: \$3.334 Million

This office is duplicative of services provided by local jurisdictions. Necessary State functions can be provided by related state departments or contracted to the private sector.

10.) Eliminate General Fund Contribution to the Wildlife Conservation Fund

Source: Assembly Republican Budget Working Group  
Item: 3640

Savings: \$1.187 Million

This proposal only eliminates the General Fund support for this program. The program administered by the Wildlife Conservation Fund will continue with the original bond funds and federal matches.

11.) Eliminate the California Coastal Commission

Source: Assembly Republican Budget Working Group  
Item: 3720  
Savings: \$4.7 Million

Duplicative of local land use planning agencies.

12.) Modify formulation of California Water Plan

Source: Assembly Republican Budget Working Group  
Item: 3860-10  
Savings: \$12 Million

Functions could be replaced far more efficiently at no cost or plan could be formulated on a 5 year schedule. Every district currently does their own water plan every two years. This proposal would also save \$45 million in special funds.

13.) Eliminate State General Fund Support For The Tahoe Regional Planning Agency

Source: Assembly Republican Budget Working Group  
Item: 3110-10  
Savings: \$1.492 Million

This is a federally authorized bi-state agency. The State should seek federal reimbursement.

14.) Merge the Integrated Waste Management Board into The Department of Conservation

Source: Assembly Republican Budget Working Group  
Item: 3480  
Savings: \$48.3 Million

Principally proposed in SB 1089 (Killea).

15.) Eliminate Civil Addict Program

Sources: LAO Analysis

Assembly Republican Budget Working Group

Item: 5240-21

Savings: \$0.433 million

The Civil Addict Program attempts to provide substance abuse rehabilitation for persons who are identified by the courts as addicts. There are currently less than 7,000 civil addicts in the program and a lack of program success justifies elimination through legislation.

16.) Eliminate On-the-Job Training Programs of the Dept. of Industrial Relations

Source: Assembly Republican Budget Working Group

Item: 8350-60

Savings: \$3.834 Million

These programs duplicate services offered by the Employment Development Department.



## **II. Contain Health And Welfare Costs**

**Estimated Savings: \$1,852.4 million**

Health and Welfare programs are approximately 34% of all General Fund expenditures and are one of the fastest growing components of the General Fund expenditures, outpacing population growth.

The goal of this budget proposal is to create incentives for people to become self-sufficient which, if successful, will create current and future General Fund savings. Where possible, this proposal identifies programs which should be eliminated, grant levels which should be reduced and programs which can be reformed while still leaving California with some of the highest levels of benefits in the nation. The cumulative savings of this proposal is approximately \$1.8 billion dollars.

**II. HEALTH CARE AND WELFARE COST CONTAINMENT**  
**Total Savings: \$ 1,852.4 million**

**1.) Reduce AFDC Benefits:**

Source: Governor's 1993-94 Budget Proposal  
Item: 5180  
Savings: \$262 million (for a 4.5% cut)

The grant is currently \$607 for a family of three. A 4.5% reduction will bring the grant to \$579. Even with this \$28 reduction, California's maximum grant will still be the highest offered in the ten most populous states. Furthermore, this reduction will be offset by an increase in eligibility for foodstamps (approximately a \$10 dollar foodstamp allowance increase per family of three.)

**2.) Institute Time Limited Grants:**

Source: SB 1115 (Leslie)/ Governor's 1993-94 Budget Proposal  
Item: 5180  
Savings: \$150 million first year/ \$300 million next year

As welfare is meant to provide temporary, transitional aid, it should reasonably include time limits. Specifically, SB 1115 (Leslie) - which would reduce the maximum family grant by 15% after the family is on aid for over 6 months (with specified exceptions.)

**3.) Eliminate Cash Assistance For Able-bodied Adults Who Have Been On Aid For 2 Years Cumulative Time.**

Source: Assembly Republican Budget Working Group  
Item: 5180  
Savings: \$188 Million

The Clinton Administration has joined many Republican lawmakers in endorsing the concept of time limited grants.

**4.) Restrict Medi-Cal Eligibility To California Residents**

Source: Assembly Republican Budget Working Group  
Item: 4260  
Savings: \$67 million (partially done in 1992)

Repeal parts of SB 175 (1988) which created a state-only program for which federal financial participation is not available. Conform state law to federal law. There are two areas where a state-only program now exists: first long-term care for undocumented persons

(\$5 million) and prenatal services for undocumented women (\$62 million). There would be an additional \$20 million savings to the C & T fund.

Require that all applicants for Medi-Cal provide Social Security Account numbers.

5.) Increase Welfare Fraud Reduction Efforts:

Source: Claremont Institute  
Item: 5180  
Savings: \$25 million

Proposals include (1)adopt legislation which penalizes negligent or knowing action on the part of welfare administrators which abet fraud; (2)adopt whistleblower laws which protect worker-informants and which could even reward informants; (3) reform the "immediate-need" applicant category, lengthening it to a number of days in order to verify the information supplied by applicants; (4)increase enforcement of requirements that welfare eligibility workers get fraud prevention training; (5)modify Welfare and Institutions Code governing identification and confidentiality making it easier to exchange information between law-enforcement agencies investigating for fraud; (6)have counties cross-check the reported income of applicants, particularly through the state's Eligibility Income Verification System.

6.) Establish Residence Requirements for Teen-age AFDC Mothers:

Source: Assembly Republican Budget Working Group  
Item: 5180  
Savings: \$500,000

Any non-married teen-age mother, who has not completed high school, who receives AFDC benefits for herself and her child, must reside with her parents or comparable guardian in order to be eligible for benefits. SB 1115 (Leslie) - Requires teen parents to live with their parents or guardians; the aid checks would be paid to the teen's parents, or guardian, with specified exceptions.

7.) AFDC Edfare:

Source: AB 129, 1993 (Collins)  
Item: 5180  
Savings: \$1 million

Require county welfare departments to stop payments to recipients of AFDC whose children are not attending school or receiving a comparable education through a home program. Payments may be resumed when school records indicate that the child has satisfactory attendance at school.

8.) Reform The GAIN Program

Source: Assembly Republican Budget Working Group  
Item: 5180  
Savings: \$30 million

While this program may have some merit, many counties are misusing the GAIN program, or have set it up in a non-constructive manner. Most successful have been the counties (like Riverside) which emphasize participants finding employment - any sort of employment - as opposed to random job searches and "training" or public employment. The program should be reformed to make this approach the model. Statewide the program costs almost \$50,000 per participant to run, with only a small percentage actually finding private sector jobs and going off aid. In Riverside, however, the numbers are much more encouraging. Additionally, provisions of SB 1115 (Leslie) would have - (1) Limited most Gain services to a two year maximum time period, with few exceptions. English-as-a-Second Language, basic education and vocational training would have to be completed within the two year period. Also, provisions in SB 1829 (Rogers) would defer from GAIN participation, any person who is enrolled in an educational or training program not funded or approved by the GAIN program and that will increase the person's employability

9.) Eliminate AFDC Homeless Assistance (AFDC-HA) Program

Source: Governor's 1992-93 Budget proposal  
Item: 5180  
Savings: \$35 million

Under the proposal, the AFDC-HA program would be eliminated, resulting in grant and administrative savings of \$35 million (\$31 million in grants, \$4 million in administration) from the General Fund in 1993-94. Under Current law, AFDC-eligible homeless families may apply for a special payment to assist them in obtaining housing. The supplement provides for (1) temporary shelter payments to cover short-term housing needs of \$30 to \$60 per day, depending on family size, for a maximum of 16 days, and (2) permanent housing

payments, which are generally limited to (a) 80 percent of a family's maximum AFDC grant (currently \$624 for a family of three) for security and utility deposits and (b) an additional 80 percent of the grant for the last month's rent. During 1991-92, this program provided assistance to about 9,600 families per month.

10.) Conform Pregnancy Benefits To Federal Standard:

Source: SB 1115 (Leslie)/ Governor's 1993-94 Budget Proposal  
Item: 5180  
Savings: \$22 million

Eliminate the state-only component of AFDC-FG. Specifically, SB 1115 (Leslie) - Limits AFDC benefits for pregnant women with no other children to the final trimester of pregnancy. Currently, this state-only Medi-Cal benefit provides aid for the first 6-months of pregnancy. The federal program provides benefits for the last trimester only.

11.) Consolidate the Department of Mental Health and the Department of Alcohol and Drug:

Source: CSAC/LAO 1992  
Item: 4440  
Savings: \$2 million

Mental Health programs were realigned to counties under the 1991 realignment proposal. This consolidates these departments into one to reflect reduced state responsibility under realignment. Both departments service almost identical populations, have similar missions and funding mechanisms. Combine and reduce staffing levels.

12.) Require Diagnosis-Related Hospital Reimbursements:

Source: Legislative Analyst Office (1993, C-62)  
Item: 4270  
Savings: \$130 million

Direct the department and the California Medical Assistance Commission to implement a "per-discharge" or a diagnosis-related reimbursement system for hospital inpatient services.

Medi-Cal reimburses hospitals for inpatient services provided to beneficiaries based on rates negotiated by the California Medical Assistance Commission.

Generally, hospitals are reimbursed for each day a beneficiary is hospitalized.

In some cases, however, the CMAC has negotiated a "per-discharge" reimbursement system where hospitals are paid a lump sum for treating a Medi-Cal patient, irrespective of the number of days and the patient is hospitalized. Under this approach, hospitals that are able to shorten the length of time a beneficiary is hospitalized for a given condition are able to save money. When contracts with these hospitals are renewed, the CMAC sets new rates based on the average number of days beneficiaries stayed in the hospital in prior years. Accordingly, over time, the state shares in any savings that result from hospitals that are successful in reducing the lengths of stay for Medi-Cal beneficiaries who require hospitalizations.

**Current Hospital Reimbursement System:** Under the current system, the Medi-Cal Program reimburses hospitals on a "per day" rate. For example, in the case of pregnant women who give birth without complications, the hospital is reimbursed automatically for up to two days. If the hospital physician believes the beneficiary should stay additional days, Medi-Cal must give prior authorization or the hospital will not be reimbursed. This approach generates a very large volume of workload both for hospitals and for Medi-Cal Program Field Office staff who must review such requests, which are usually for one additional day and are rarely disapproved. Further, to the extent that hospitals seek to maximize Medi-Cal revenues, this system could act as an incentive to keep beneficiaries hospitalized for additional days.

**"Per-Discharge" Approach to Hospital Reimbursement:** A per discharge or diagnosis-related reimbursement system would pay hospitals a flat rate for all deliveries, irrespective of the beneficiaries length of stay, based on the average length of stay required for all deliveries in that facility over the previous few years. Under this approach, no additional administrative workload is imposed on either the hospital or the Medi-Cal Field Office to review routine requests. More, importantly, the hospitals have an incentive to reduce the time a beneficiary must spend in the hospital because this will result in savings up front, and the state achieves savings as the hospital's rates are renegotiated for future years, based on the shorter average lengths of stay.

The federal Medicare Program uses a similar, though more complex, reimbursement system, in which it set rates based on "diagnosis-related groups," or DRGs. Under a DRG system, hospitals are reimbursed based on the

expected cost of providing an array of services that most likely will be required for a particular diagnosis. Again, rather than having an incentive to provide as many services as possible for a given condition in order to increase its reimbursements, hospitals have an incentive to provide services only when an individual patient requires them.

**Analyst's Recommendation.** A per-discharge system could be implemented in most areas of the state beginning in 1993-94 for certain services, such as for vaginal deliveries. Further, the Medi-Cal Program and the CMAC can make use of the methodology developed by the federal Medicare Program to implement a per-discharge or DRG system statewide for most procedures in a relatively short period of time. If a fully implemented DRG system resulted in savings of 10 percent, the state would realize savings of at least \$130 million annually.

The following Budget Bill language is consistent with their recommendations:

Medi-Cal reimbursements for inpatient hospitalizations shall be made on a per-discharge basis for all new hospital contracts implemented by the California Medical Assistance Commission, beginning in 1993-94. In addition, the department and the commission shall develop a diagnosis-related group reimbursement system and shall make appropriate provisions for the staged implementation of this system in contracts it implements.

**13.) Eliminate Medi-Cal Subsidy of UC Hospitals:**

Source: Legislative Analyst Office (1993, C-64)

Item: 4260-101-001

Savings: \$55 million (Took \$15 million this year as a one-time hit)

Adopt Budget Bill language specifying that University of California (UC) hospitals receive the minimum federal disproportionate share payments authorized under state law because (1) the facilities are profitable without such payments and (2) the budget does not assume these revenues for the UC for 1993-94.

In 1991, the Legislature enacted a program to provide supplemental federal payments to hospitals that serve a large number of indigent persons. These hospitals are termed "disproportionate share" hospitals, and the supplemental payment program is commonly referred to as the "SB 855 Program" (Ch 279/91, Robbins). Its purpose is to provide financial support to "safety net"

hospitals that would otherwise be financially threatened due to the large amount of services provided to persons who are unable to pay for them.

Under the program, counties and the UC regents transfer funds to the state which, when combined with matching federal funds, are used to provide supplemental Medi-Cal payments for inpatient hospital services provided by all disproportionate-share hospitals, including those not owned by public entities. The state retains approximately \$104 million of the funds that are "transferred", and uses the rest to generate a total of \$812 million in matching federal supplemental payments annually. The department estimates that the UC hospitals will receive approximately \$58 million of these payments in the current year, although the UC budget projects about \$44 million in 1992-93.

These payments have generated a "windfall" to the three UC hospitals that receive them--those located on the Davis Irvine and San Diego campuses. The UC budget does not assume the receipt of any SB 855 revenues in 1993-94. In contrast, the Medi-Cal Program anticipates payments of about \$58 million to the UC in 1993-94, depending on the total number of days that indigent persons stay in UC facilities.

Because the UC hospitals appear profitable without the supplemental federal payments, and because the UC system does not anticipate receipt of the payments, we believe the payments should not be made. However, due to the requirements of federal law, it appears necessary that the UC hospitals receive at least a minimal amount. (Federal law determines which facilities must receive payments, though the state has discretion what the payment levels will be.)

Accordingly, LAO recommends that the Legislature adopt Budget Bill language specifying that disproportionate share payments to the UC hospitals be set at the minimum rate (\$50 per day) or about \$6.5 million.

#### Budget Language:

For the 1993-94 fiscal year, UC hospitals shall receive the minimum federal disproportionate share payments authorized under state law, which is \$50 per day. In addition, the department shall restructure county contributions to ensure that the resulting unallocated disproportionate share revenues will be transferred to the General Fund.

#### 14.) Eliminate "Bed-Hold" Payments:



Source: Legislative Analyst Office (1993, C-66)  
Item : 4260-101-001  
Savings: \$ 3 million

Repeal provisions of current law requiring the department to make payments to "hold" long-term care beds vacant during the temporary absence of a patient.

Current law requires the department to pay skilled nursing and other long-term care facilities a supplemental payment to hold open the bed of a patient temporarily transferred to an acute facility. Under regulations promulgated by the department, "bed-hold" payments are limited to seven days per transfer and are computed based on the average rate paid to the type of facility in which the patient resides.

Bed-hold supplemental payments were required by the Legislature in 1982, due to concerns that nursing home patients who are temporary transferred to an acute hospital-for surgery, for example-would no longer have access to their chosen long-term care facility upon their release from the hospital. This was because, at the time, occupancy rates of compensation, facility likely would incur significant revenue losses to the extent that they turned away other patients who wished to reside in that facility. Because nursing facilities were unlikely to incur such losses in order to keep open a certain number of beds, the Legislature was concerned that the absence of "return rights" for long-term care residents would disrupt the continuity of care for such patients.

Further, in situations where hospital patients were ready for discharge but were unable to return to their long-term care residence, it could be necessary to keep the patient at the hospital until an appropriate placement became available. In such cases, the state would incur significant additional costs, due to the higher reimbursement rate for hospitals. Accordingly, the state instituted a "bed-hold" payment to offset anticipated revenue losses by nursing homes while patients received acute care.

Over the last several years, however, occupancy rates in nursing facilities have dropped significantly. At the time that the bed-hold legislation was passed, for example, nursing facility occupancy rates were in excess of 94 percent. In 1991, the last year for which data are available, they were about 86 percent. Accordingly, it is much less likely that in the absence of a bed-hold payment-facilities will lose revenues by keeping open beds for temporarily transferred patients, since a large

number of vacant beds already exist. therefore, the expected "cost" (in the form of lost revenues) to the nursing industry as a result of the state's bed-hold requirement in most cases no longer exists.

Because conditions in the nursing facility industry have changed dramatically since the original legislative action, we believe that the Legislature should revisit this issue. Specifically, we recommend the enactment of legislation repealing the requirement that supplemental payments to hold open nursing facility beds. Based on data provided by the department, we estimate that this action would result in savings of \$15 million annually.

Alternatively, the Legislature could continue the bed-hold requirement, but could direct the department to make much lower supplemental payments-commensurate with the much lower "expected losses" of facilities holding beds vacant. A flat rate of \$5 per day, for example, would result in savings of approximately \$14 million annually.

15.) Consolidation of Primary Care and Family Planning Administrative Units:

Source: Legislative Analyst Office (1993, C-89)  
Item: 4260-001-001, 4260-111-001  
Savings: \$1.6 million

The PRHCS Branch and the OFP in the DHS provide funds to nonprofit clinics for the provision of health care services.

Under the PRHCS Branch, the department provides funds to nonprofit primary care clinics through four separate programs-the Expanded Access to Primary Care Services Program, the Seasonal Agricultural and Migratory Workers Health Program, the Indian Health Program and the Rural Health Services Development Program. For 1993-94, the budget proposes a total of \$3.7 million for state operations (\$1.5 million General Fund, \$900,000 Cigarette & Tobacco Fund, \$1 million federal funds, and \$300,000 reimbursements) and \$23.1 million for local assistance. The proposed funding for state operations would fund 32.5 positions to (1) perform contract compliance activities, (2) provide technical assistance, and (3) provide health education information.

Streamlining the programs operated by the PRHCS Branch and OFP will result in reduced state operations costs.

Numerous Duplicative Contracts.

The PRHCS Branch has over 240 contracts with clinics. The majority of the clinics that receive funds from three categorical programs---the Rural Health Services Development Program, the Seasonal Agricultural and Migratory Workers Health Program, and the Indian Health Program---also receive funding from the Expanded Access to Primary Care Services Program. However, each of these clinics has a separate contract for each of these programs, and often times a different state contract administrator. If these contracts were consolidated, the number of PRHCS Branch contracts would be reduced by over 30 percent.

The OFP has over 160 contracts with clinics for the provision of family planning services and health education and information. Of these contracts, over 30 percent are with clinics served under the PRHCS Branch. In addition, of the remaining OFP contracts, over 20 percent are duplicative contracts---that is, there is a separate contract for OFP clinical services and a separate contract for education and information services.

LAO estimates that if the duplicative contracts within these two branches were consolidated, the number of total contracts would be reduced by over 40 percent.

Administrative Consolidation Would Permit Staff Reductions:

For 1993-94, the budget proposes a total of 32.5 positions in the PRHCS Branch and 30.8 positions in the OFP. The department has acknowledged staff reductions of up to 15 percent could be made within the PRHCS Branch if contract consolidation were implemented and that managerial positions could also be reduced.

Because contract administration accounts for a large part of the workload in both agencies, consolidation of contracts would permit a significant reduction in staff. Furthermore, contract administration is not the only area of duplication. Both branches have (1) administration support sections (15 positions) and (2) research analyst positions (7 positions), in addition to program-specific contract staff and clerical support that could be consolidated.

Such consolidation, moreover, should result in a more comprehensive approach in working with clinics and in providing technical assistance.

16.) Regulation Change Could Increase Eligibility for Personal Care Option Services:

Source: Legislative Analyst Office (1993, C-147)  
Item: 5180-151-001  
Savings: \$7 million

Direct the Departments of Social Services (DSS) and Health Services (DHS), during budget hearings, to amend the PCO regulations to include IHSS "income eligibles." This action would result in General Fund Savings of approximately \$8 million.

In order to be eligible for services under the IHSS Program, a person must be living in his or own home and either "status eligible" or "income eligible". An individual is considered status eligible if he is receiving SSI/SSP. an individual is considered income eligible is he or she:

- Meets all SSI/SSP eligibility requirements but has "nonexempt" income that exceeds the maximum SSI/SSP payment levels. Persons in this category may have to pay for a share of IHSS costs.

- Meets all SSI/SSP eligibility requirements, but chooses not to accept SSI/SSP benefits.

- Has been eligible for SSI/SSP on a disability (and is still disabled) but has lost eligibility due to employment. Persons in this category may have to pay for a share of IHSS costs.

Federal Funds could be obtained for IHSS income Eligibles. Income eligibles represent approximately 13,000 cases that could be eligible for 50 percent federal funding under the PCO. We estimate that including the income eligibles within the PCO caseload would result in additional federal Medicaid funds of about \$13 million in 1993-94, for a net savings (after accounting for administrative costs) of approximately \$8 million to the General Fund and \$4 million in county funds.

17.) Conform The Income Level Used For Determining Medi-Cal Eligibility to Federal Standard.

Source: Republican Caucus list/ Mentioned in LAO (1992)  
Item: 4260  
Savings: \$30 million

Federal law permits California to link eligibility for medically needy and medically indigent persons to any percentage between 100 and 133 1/3 percent of AFDC payment level. Reducing the income standard for

Medi-Cal eligibility below 133 1/3 percent of AFDC payment level would increase the share of cost that people would pay before they would be eligible for Medi-Cal services. This proposal assumes that the state establish a "refused grant" category for SSI/SSP-linked recipients in order to avoid cost increases in SSI/SSP program.

**18.) Conform Medi-Cal Eligibility To The Current AFDC Payment Levels**

Source: Republican Caucus List/Mentioned LAO Analysis  
Item: 4260  
Savings: \$10 million

SB 724, Chapter 26, 1991, requires Medi-Cal eligibility be based on AFDC payments levels that were in effect in June 1991. Once again, this proposal assumes that the state establish a "refused grant" category for SSI/SSP-linked recipients in order to avoid cost increases in SSI/SSP program.

**19.) Medi-Cal Beneficiary Copayments**

Source: Republican Caucus List/ Governor's Budget  
Proposal 1991-92  
Item: 4260  
Savings: \$280 million

Require copayments for prescription drugs, outpatient services, for nonemergency services that are provided in an emergency room. Federal waivers would be required now that the Administration is moving Medi-Cal beneficiaries to Managed Care (Fed law exempts persons from paying a copayment if they receive Medi-Cal services from a HMO).

**20.) Foster Care Reform**

Source: Little Hoover Commission Report Mending Our Broken Children: Restructuring Foster Care in California  
Item: 5180-151-001/181  
Savings: \$13 million

There are over 81,000 children in Foster Care with a 1992-1993 budget of \$1.4 billion.

According to the Little Hoover Commission estimates are that somewhere between 35 percent and 70 percent of children who end up in foster care should not be there and can be severely damaged psychologically by the

experience.

Solution would be expanding the Family Preservation Program that would reduce foster child placements. 13 counties currently operate family preservation programs. The Department of Social Services is planning to develop a statewide family preservation program. In addition, the federal administration recently passed the Family Preservation and Support Act. As a result, the state can expect new funding opportunities to expand family preservation programs.

**21.) Foster Care Relative Placement**

Source: Capitol Resource Institute, California  
Coalition of Welfare Rights Organizations  
Item: 5180-151-001/181  
Savings: \$100 million (Based on a 10% Reduction in Caseload)

Require that the Department of Social Services to contact and determine if a relative is able to be a placement for a child rather than direct placement to Foster Care.

Legislative Efforts: AB 3441 by Speier Chaptered intent language to do this.

**22.) Increase Reunification Efforts**

Source: California Coalition of Welfare Rights  
Organizations  
Item: 5180-151-001/181  
Savings: \$50 million (Based on a 5% Reduction in Caseload)

Require that notification to all eligible relatives that the child may leave the foster system if an appropriate home placement can be found.

**23.) Self Removal Of The Alleged Perpetrator**

Source: California Coalition of Welfare Rights  
Organizations  
Item: 5180-151-001/181  
Savings: \$2.5 million (Based on a .25% Reduction in Caseload)

In cases where the child is not in an immediate life endangering situation, provide the option for the Alleged Perpetrator to agree to a self-impose temporary

restraining order (TRO). The alleged perpetrator will move from the residence in lieu of the child being placed in Foster Care. The perpetrator must also agree to not have any visitations with the child unless child welfare services has agreed to the request.

24.) Institute Income-based Fees FOR DDS, AIDS, GHPP, Alzheimer's & Linkages Programs.

Source: Assembly Republican Budget Working Group  
Item: 4260  
Savings: \$20 million

25.) Use Employment Training Fund To Fund GAIN

Source: Assembly Republican Budget Working Group  
Item: 5100  
Savings: \$58 million

26.) Contract Out Medi-Cal Pharmacy Services

Source: Assembly Republican Budget Working Group  
Item: 4260  
Savings: \$14.8 million

27.) Tighten Eligibility For SSI/SSP To Eliminate Those Who Are Disabled Due To Chronic Alcoholism Or Drug Use.

Source: Haynes AB 372  
Item: 4260  
Savings: \$20 million

28.) Regionalize SSI/SSP Grants.

Source: Assembly Republican Budget Working Group  
Item: 4260  
Savings: \$166 million

Federal Government allows up to 3 regions

29.) Eliminate Foster Care Payments For For-profit Group Homes

Source: Assembly Republican Budget Working Group  
Item: 5180  
Savings: \$9 million

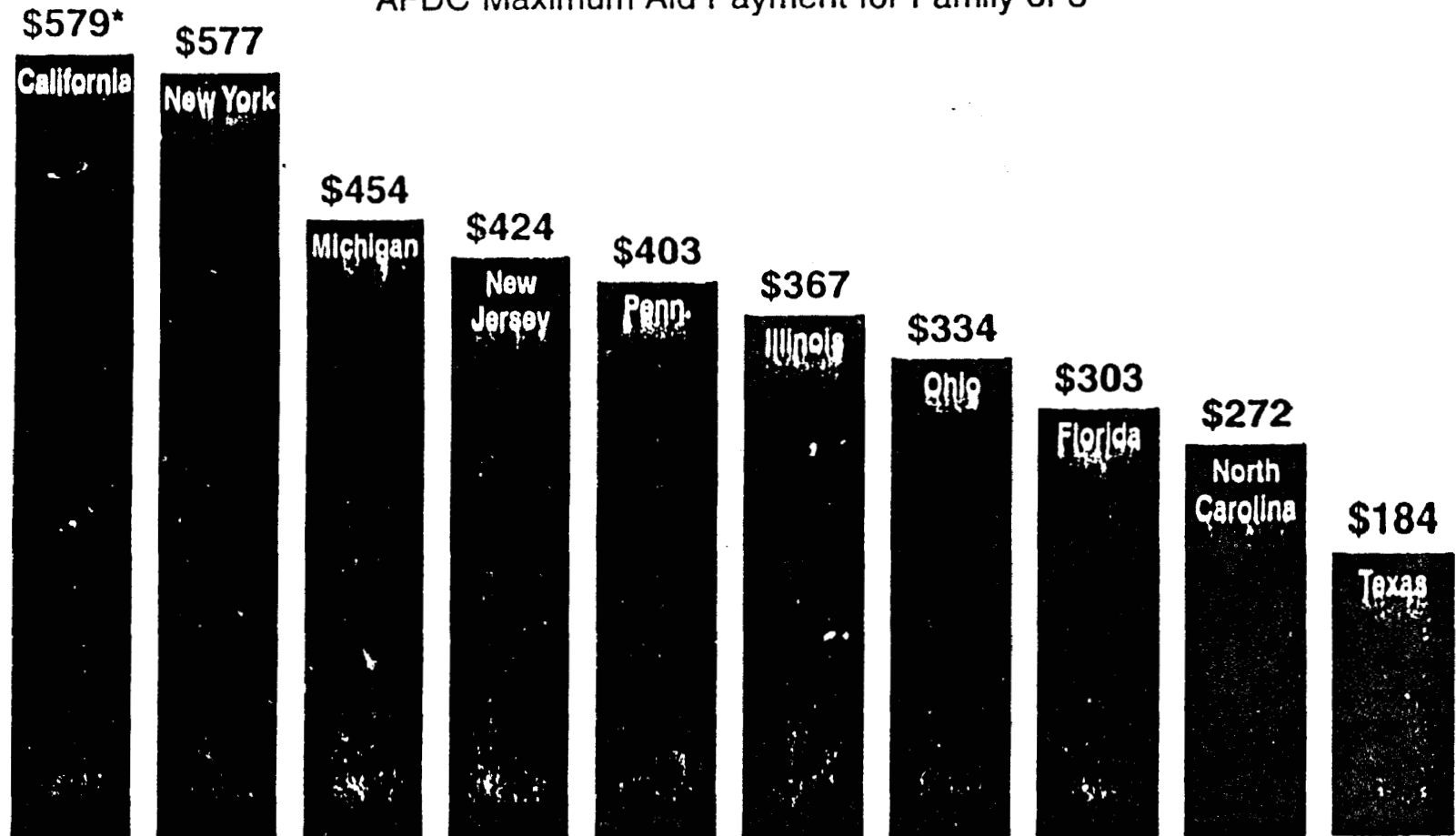
30.) Adopt Automated Welfare Administration

Source: Assembly Republican Budget Working Group  
Item: 4260  
Savings: \$100 million

# AFDC PROPOSAL

## Comparison of 10 Most Populous States

AFDC Maximum Aid Payment for Family of 3



Source: Governor's Budget Summary, 1993-94

\*Proposed California Grant Level



### **III. Reform The Way In Which Government Operates**

**Estimated Savings: \$2191.001 million**

Many of our state governmental practices and policies were developed in times of budgetary surplus. Some were instituted in particular ways in order to address problems which no longer exist. Others merely developed in a haphazard fashion over time. However they started, there are a number of practices which are inefficient or wasteful. These practices should be reformed before we consider cuts to necessary services.

In an effort to make government more productive in this time of budgetary shortfall, we have identified over \$2 billion of inefficiencies and structural reforms. We believe these proposals, which do not effect any vital state services, take one reasonable and necessary step in the direction of restoring California's fiscal integrity.

**III. REFORM GOVERNMENT OPERATIONS**  
**Savings: \$ 2191.481 MILLION**

**1.) Prevailing Wage Formula Change**

Source: Assembly Republican Budget Task Force  
Savings: \$340 Million

Conform State prevailing wage law to federal prevailing wage law.

**2.) Audit Department of General Services' Invoices**

Source: Senator Roberti's Cost Cutting 1-800 phone line  
Item: 1760  
Savings: \$100 Million

A citizen's suggestion which would bring the state in line with private sector practices. All state invoices would be matched with purchase orders to check for double billing, under-billing, and over billing.

**3.) Raise Minimum Exemption for Consultant Contracts from the Department of General Services' Review**

Source: Auditor General  
Item: 1760  
Savings: \$1 million

The California Public Contract Code assigns to the Dept. of General Services the duty of reviewing and approving contracts entered into by state departments for consultant services. The code generally exempts consultant contracts under \$12,500 from their review. Raising the minimum would possibly reduce costs and bureaucracy.

**4.) Rent or Lease Surplus State Property--Department of General Services**

Source: Little Hoover Commission  
Item: 1760-10  
Savings: \$83 Million

This is taxpayer owned property that is not being currently used. At the very least, it should be rented out to generate revenue.

**5.) Eliminate Conjugal Visits for Prisoners**

Source: Assemblyman Dean Andal (AB 546)

Item: 5240-21  
Savings: \$10 Million

Our current system of conjugal visits wastes millions of taxpayer dollars each year. In addition to increased staffing necessary to search inmates and visitors, additional security measures must exist -- placing further burden on the corrections staff. Approximately 26,000 conjugal visits took place last year. Only six other states allow this extravagant and unjustified perk.

Assembly Bill 546 failed passage in the Assembly Public Safety Committee, but could be put into effect by an Executive Order from the Governor.

6.) Reduce Prison Library Construction

Source: Assembly Republican Budget Working Group  
Item 5240-302-746  
Savings: \$30,000

If plans to build five libraries at the Susanville prison are modified, three libraries would be more efficient and save DOC \$15,000 per library.

7.) Merge Parolees' Mental Health and Substance Abuse Services into a Single Program

Source: LAO Options  
Item: 5430-001-001  
Savings: \$300,000

Consolidation of the Conditional Release Program (CONREP) and the Parole Outpatient Clinic (POC) would provide a savings and create a more efficient system.

9.) Investment in Drug Treatment Program

Source: LAO Options  
Item: 5430-001-001  
Savings: Increased annual costs--probably more than \$1 million to establish or expand pilot drug treatment programs (\$1.7 million in unallocated federal anti-drug abuse funds is currently available for this purpose). Possible future savings in the millions of dollars.

Substance abuse-related violations are a significant factor contributing to the prison population, particularly for parole violators. Data suggest that "community corrections" programs that provide drug treatment services may reduce criminal activity. State

could establish additional drug treatment programs by using federal anti-drug funds.

10.) Parental Support for Youth Authority Wards

Source: LAO  
Item: 5240-001-001  
Savings: \$5.1 million

Parents with ability to pay would be charged for support. Support costs to include: expenses for food, clothing, personal supplies, and medical expenses. Current law requires parents to pay similar costs for minors committed to county facilities.

11.) Require UC Professors To Teach One Additional Class Per Year.

Source: Assembly Committee On Higher Education  
Item: 6440  
Savings: \$55 million

12.) Set A Maximum Administrator To Teacher Ratio At The CSU And UC Systems.

Source: Assembly Committee On Higher Education  
Item: 6610, 6440  
Savings: \$30 million

13.) Eliminate Remedial Courses At UC And CSU Campuses.

Source: Assembly Committee On Higher Education  
Item: 6610, 6440  
Savings: \$5 million

15.) Reallocate the Inmate Welfare Fund to Victim/Witness Assistance Fund

Source: Republican Budget Task Force  
Item: 5240-917  
Savings: \$40.608 million

The Inmate Welfare Fund comes primarily from canteen sales in state prisons. There is no reason that prisoners should be exempt from budget cuts.

16.) Enhance Parole Supervision For violent Offenders by Shifting Supervision from Non-violent Offenders.

Source: Assembly Republican Budget Working Group  
Savings: 5240  
Savings: \$115 million

Parole supervision for nonviolent offenders has not proven effective. Parole agents are overwhelmed, and recidivism is high. The offenders covered by this option include various property and white collar crime offenses. Offenders would not be eligible for direct discharge if they are mentally disturbed or had serious behavioral problems while incarcerated.

17.) No Parole Supervision For Undocumented Immigrants

Source: Republican Budget Task Force  
Savings: 5240  
Savings: \$9.7 million

Illegal immigrants should be immediately deported upon release from prison. A prohibition on returning to the United States would be made a condition of parole. There are currently 4,600 illegal immigrants on parole.

18.) Require Reimbursement For Inmate Visiting Application and Visits

Have Visitors To State Prisoners Reimburse The State for Costs Associated With Their Visits

Source: Employee at D.V.I. prison  
Item: 5240  
Savings: \$12.96 million

20.) Eliminate Leisure Time Activities for inmates

Source: Republican Budget Task Force  
Item: 5240  
Savings: \$13.061 million

Televisions and athletic uniforms should be paid for by the inmates, not taxpayers.

21.) Charge Inmates for Medical Services

Sources: SB 163 (Presley), 1993  
Item: 5240  
Savings: \$1.722 million

Last year 344,439 patients were seen by the Medical Services section of the CDC. Charging a \$5 appointment fee would help frivolous appointments and defray costs, providing inmates have ability to pay.

22.) Home Detention For Non-violent Felons

Source: Assembly Republican Budget Working Group  
Item: 5240  
Savings: \$144 Million

In California, the cost of housing one inmate in a prison is \$22,000 per year. In 1987, there were over 8,500 non-violent property and DUI offenders housed in California prisons, costing \$187 million. Using the most expensive electronic system, estimates of savings are \$144 million.

23.) Prohibit Illegal Immigrants from Enrolling As Students at UC, CSU, or CCCs.

Source: Assembly Republican Budget Working Group  
Item: 6440, 6610, 6870  
Savings: \$900 million

24.) Establish a Trial Project to Deport Undocumented Felons Immediately Following Conviction. Eliminating Incarceration In State Prison.

Source: Assemblyman Conroy  
Item: 5240  
Savings: \$325 million

Illegal immigrants who are convicted of a crime should be returned to their country of origins to serve their prison sentence in that country.

# WAGE AVERAGES

## School Construction Example

**\$27/hr.**

**Current  
California  
Prevailing  
Wage**

**\$22.95/hr.**

**Using  
Federal  
Prevailing  
Wage**

**\$20.25/hr.**

**Average  
Private  
Sector  
Wage**

**IV. Allow Competitive Contracting  
For Greater Efficiency  
Estimated Savings: \$486.865 Million**

The objective of contracting out specified state services is to improve the products bought, stabilize the growth of the state workforce, and, at the same time, provide taxpayers over \$400 million a year in savings.

Agencies which have traditionally contracted for services, such as the Youth Authority, have been able to maintain an exemplary program while at the same time controlling their costs.

The bottom line is that some services can be done by the private sector in a more cost effective manner. Contracting out specific services will allow agencies to meet increasing demands with a shrinking revenue supply without compromising on quality.



**IV. COMPETITIVE CONTRACTING OF SERVICES**  
**Savings: \$ 486.865 million**

**1.) Eliminate Office of Procurement, Allow State Agencies to Contract Out for Products**

Source: Auditor General  
Item: 1760  
Savings: \$22.7 million

According to a June 1992 report by the Auditor General, the Department of General Services' Office of Procurement is failing its responsibilities:

1. The office took an average of 61.9 days, 31.9 days longer than the required 30 days from the time it received a request for purchases exceeding \$10,000 to the time it issued a solicitation for bid;
2. The office's Material Services Section (Stores) takes an average of 26 days--16 days longer than its goal of 10 days, to fill orders for supplies requested by state agencies. Private contractors are cited as being able to fill the order in 1-2 days;
3. Stores do not always maintain an adequate inventory of stock to fill all supply orders;
4. Costs for 710 products are between 12 and 30 percent higher than in the private sector.
5. According to the department's operating statement, during fiscal year 1990-91, sales of items through Stores exceeded \$36,999,000. This is money that should be creating jobs in the private sector.

**2.) Contract Out State's Record Keeping Center**

Source: Pacific Research Institute  
Item: 1760  
Savings: \$1.8 Million

As the state's records continue to grow, taxpayers will need to keep paying for ways to store them. Contracting out this responsibility would eliminate bureaucracy and maintain quality and efficiency.

**3.) Privatize Dept. of Corrections Pharmacy Services**

Source: Pacific Research Institute, Jan. 1993  
Item: 5240-21  
Savings: \$6 Million

This report documented the CDC savings for

privatizing pharmacy services.

4.) Sell/Lease/Privatize State Mental Health Hospitals

Source: Health & Social Services Budget Working Group  
(1992)

Item: 4440

Savings: \$200 million

5.) Implement a "Competitive Contracting of Public Services" Act.

Source: American Legislative Exchange Council

Savings: ALEC projects a minimum 15% cost savings

When a service produced by a state agency is more expensive than can be obtained privately, then the service will be "bought" from contractors.

6.) Eliminate Office of State Printer & Contract Out Services

Source: Pacific Research Institute

Item: 1760-20

Savings: \$5 Million

This office does \$50 million worth of business with the state. There are over 300 private printing shops in the Sacramento area alone that should be servicing those contracts. Prices at the OSP are approx. double and quality is lower than that of the private sector.

7.) Privatize Portions Of The Department of Motor Vehicles

Source: Pacific Research Institute / Center for the  
California Taxpayer

Item: 2740

Savings: \$100 million

Privatize the licensing and testing functions of the DMV. This proposal will allow private representatives such as the AAA and driving schools to perform these services.

8.) Donate To LA County the Museum of Science and Industry

Source: Assembly Republican Budget Working Group

Item: 4260

Savings: \$6 million

9.) Contract Out Medi-Cal Pharmacy Services

Source: Republican Options 1992 budget negotiations  
Item: 4260  
Savings: \$14.8 million

10.) Privatize Management Of Developmental Centers

Source: Assembly Republican Budget Working Group  
Item: 4100  
Savings: \$55 million

11.) Privatize Fleet Operations

Source: Pacific Research Institute  
Item: 1760  
Savings: \$60 million

12.) Privatize Ground Maintenance For State Buildings

Source: Assembly Republican Working Group  
Item: 1760  
Savings: \$2 million

13.) Privatize California Arts Council

Source: Governor's 1992-93 Budget Proposal  
Item: 8260  
Savings: \$13.565 Million

The Governor proposed to privatize the arts council over  
a three year period.

**V. Public Employee Cost Containment**  
**Estimated Savings: \$207 Million**

In short, these proposals are driven by the position that public employee compensation needs to be maintained at a reasonable, private sector comparable, rate-of-growth.

Despite on-going budgetary shortfalls, California's growth in spending for state salaries and benefits has continued at an uninterrupted pace. State employee costs are the biggest cause of the explosion in state expenses over the past decade. The salaries and benefits of public employees are the state's largest expense. As such, it is unreasonable to think that the state can address its fourth shortfall in a row without dealing with its number one cost. At a time when California's citizens are seeing essential programs being threatened by cutbacks, they have the reasonable expectation that state employee costs will not increase.

Over the past 10 years, public employee compensation has grown at a rate far faster than that of private sector employees. In fact, during the 1980s, while the state grew in population by 19%, state spending grew by 121% and state employment grew by nearly 300%. The cost of maintaining those employees has ballooned as well. The state's recent union deals have only continued this unstable policy. And while this trend is troubling in its own right, addressing these cost increases is even more crucial in a time of severe budgetary distress.

V. STATE EMPLOYEE COST CONTAINMENT  
Budget Savings: \$207 million

1.) Eliminate Augmentation for Employee Salary Increase Scheduled for January 1995

Source: LAO  
Item: 9800  
Savings: \$120 Million

The LAO indicates that a clause in the legislation ratifying 19 of the 20 MOU's, conditions each state employee union's yearly COLA on an appropriation by Legislature. This appropriation is found as a line item in the Budget.

2.) Establish a private/public pay equity act which would hold public salaries in line with the private sector.

Source: American Legislative Exchange Council  
Savings: Future Savings

Specifically, this legislation would limit the maximum growth in average public sector compensation to the percentage growth in average private employee compensation. This structural reform is primarily a strategy for keeping future state costs down. However, it could also contain a clause which would establish a past fiscal year as the base year, and require that private salaries first catch up with public employees meteoric compensation increases before any future increase is calculated under this new formula. Thereby, the bill would produce savings immediately, although eliminating the compensation augmentation (#1 above) would produce the same first year effect.

3.) Eliminate 3 State Holidays

Source: Republican Caucus Budget Proposal 1991  
Savings: \$24 million

State Employees receive 13 fully-paid state holidays, significantly more than workers in the private sector. There would be productivity and service increases plus immediate overtime savings.

4.) Repeal Escalation in retirement benefits

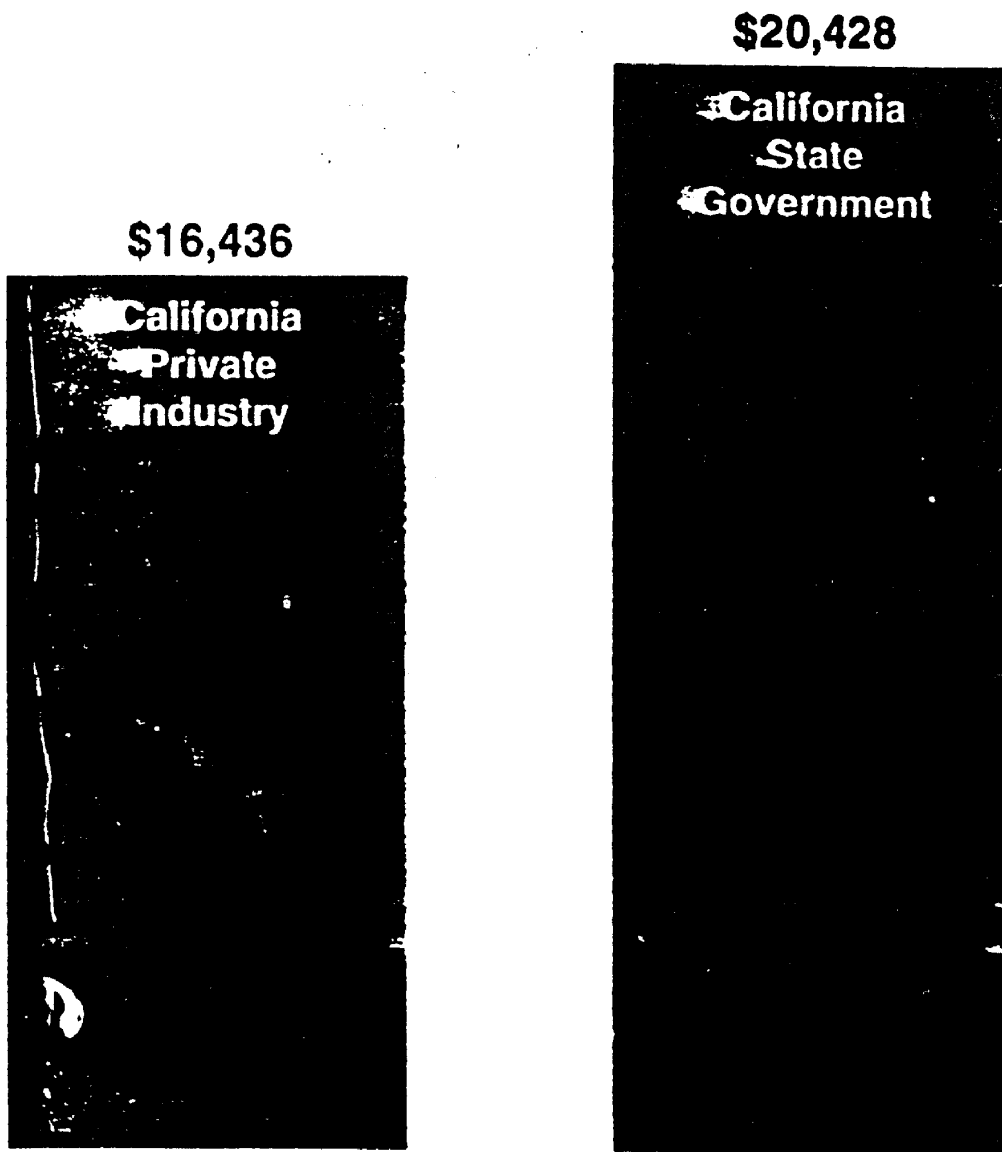
Source: Republican Caucus Budget Proposal 1991  
Savings: \$63 million

Return to a calculation of "final compensation" for state employees that uses the average monthly pay for 36

consecutive months rather than the recently adopted law,  
SB 2465 (1990) that uses the highest salary during any  
12 consecutive months.

# STATEWIDE PAY AVERAGES

## Private Industry vs. State Government



Source. 1990 Census

## **VI. Freeze State Spending and Repeal Statutory Cola's**

It is reasonable to expect that when a state's revenues do not increase neither will a state's expenditures. Once again, state revenues are predicted to fall far short of our projected needs. After three difficult budgets, there are no easy fixes left. It would be the height of irresponsibility to increase spending and taxes, which would drive our economy into the ground. Nor can we just pretend nothing is happening and hope that the state's economy will grow our budget into balance.

"Freezing" - or more accurately, cutting, state spending is the most straight forward method of dealing with the shortfall. California's habit of projecting a shortfall and yet allowing departments to grow does not make good fiscal sense. Nor does the accounting gimmickry used to make such a budget balance do anything to help restore the stability of the state. The Assembly Republican Budget Working Group believes that a primary component of any sound budget plan for 1994-1995 has to be a state spending freeze. State government cannot be allowed to live beyond its means.



## **VII. Implement Revenue Triggered Budget Reductions**

As part of the 1990-91 budget agreement, the legislature and the administration agreed to a law authorizing the Director of the Department of Finance, under certain stated economic conditions, to unilaterally reduce any budget item by up to 4%, except for those items protected by the state Constitution.

While this program was only marginally effective because the conditions and the length of its term were limited, its principle is still valid and the potential for budget savings is great.

This program proposes that a revamped trigger be implemented by statutory authority to allow even greater savings.

The productive sector has historically always justified its performance on the economic conditions under which it operates, government can learn to live within similar means.